

THE
Parliamentary Register ;
OR,
HISTORY
OF THE
PROCEEDINGS AND DEBATES
OF THE
HOUSE OF LORDS;

CONTAINING AN ACCOUNT OF
The most interesting SPEECHES, MOTIONS,
PROTESTS, PETITIONS, &c.

DURING THE
FOURTH SESSION of the FOURTEENTH PARLIAMENT
OF
GREAT BRITAIN;

V O L. X.

L O N D O N :
Printed for J. ALMON, opposite BURLINGTON-HOUSE,
in PICCADILLY.
M,DCC,LXVIII.

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T H E
H I S T O R Y
O F T H E
PROCEEDINGS and DEBATES
Of the FOURTH SESSION of the
H O U S E of L O R D S
O F T H E
Fourteenth Parliament of *Great-Britain* ;

*Appointed to be held at Westminster, on Thursday the 18th day of
November, 1777.*

THE King came to the House of Lords, and having sent for the Commons, delivered the following speech to both Houses.

My Lords and Gentlemen,

It is a great satisfaction to me, that I can have recourse to the wisdom and support of my Parliament, in this conjuncture, when the continuance of the rebellion in North America demands our most serious attention. The powers, which you have entrusted me with for the suppression of this revolt, have been faithfully exerted ; and I have a just confidence, that the conduct and courage of my officers, and the spirit and intrepidity of my forces, both by sea and land, will, under the blessing of Divine Providence, be attended with important success : but as I am persuaded, that you will see the necessity of preparing for such further operations, as the contingencies of the war, and the obstinacy of the rebels may render expedient, I am for that purpose, pursuing the proper measures for keeping my land forces complete to their present establishment ; and if I should have occasion to increase them, by contracting any new engagements, I rely on your zeal and public spirit to enable me to make them good.

*The King's
Speech.*

I receive repeated assurances from foreign powers, of their pacific dispositions. My own cannot be doubted: but, at this time, when the armaments in the ports of France and Spain continue, I have thought it adviseable to make a considerable augmentation to my naval force, as well to keep my kingdoms in a respectable state of security, as to provide an adequate protection for the extensive commerce of my subjects; and as, on the one hand, I am determined that the peace of Europe shall not be disturbed by me, so, on the other, I will always be a faithful guardian of the honour of the crown of Great-Britain.

Gentlemen of the House of Commons,

I have ordered the estimates for the ensuing year to be laid before you. The various services which I have mentioned to you will unavoidably require large supplies; and nothing could relieve my mind from the concern which I feel for the heavy charge which they must bring on my faithful people, but the perfect conviction that they are necessary for the welfare and the essential interests of my kingdoms.

My Lords and Gentlemen,

I will steadily pursue the measures in which we are engaged for the re-establishment of that constitutional subordination, which, with the blessing of God, I will maintain through the several parts of my dominions: but I shall ever be watchful for an opportunity of putting a stop to the effusion of the blood of my subjects, and the calamities which are inseparable from a state of war. And I still hope, that the deluded and unhappy multitude will return to their allegiance; and that the remembrance of what they once enjoyed, the regret for what they have lost, and the feelings of what they now suffer, under the arbitrary tyranny of their leaders, will rekindle in their hearts a spirit of loyalty to their sovereign, and of attachment to their mother country; and that they will enable me, with the concurrence and support of my Parliament, to accomplish, what I shall consider as the greatest happiness of my life, and the greatest glory of my reign, the restoration of peace, order, and confidence to my American colonies.

The speech being twice read, as usual, from the woolfack, and then by the deputy clerk of the crown,

Lord Percy. Lord Percy acquainted the House, that it had fallen to his lot to have the honour of moving an address, in answer to the most gracious speech now read. He acknowledged his

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his own insufficiency for an undertaking which called for the most zealous and energetic language that House was capable of expressing itself in. His Lordship observed, an event had happened since they last sat there, which ought to give every noble Lord present the most heart-felt pleasure; that was, the birth of a princess, as it was an additional security to the Protestant religion, and the enjoyment of those constitutional rights which were known to be so peculiarly the care of the amiable and virtuous sovereign on the throne, and were likely to be transmitted to the latest posterity, through his illustrious house. He then applied himself particularly to the contents of the speech, and passed the highest encomiums on the humane but firm spirit with which it was fraught. He acknowledged his obligations in common with the officers serving in America, for the very gracious testimony which has been given to their services by their royal master, and the high confidence he expressed, in the spirit and intrepidity of his forces, both by sea and land. He lamented, as a professional man, what a disagreeable situation persons serving in high commands stood in, when accidents, which it was frequently not in the power of the greatest military skill or foresight to descry or prevent, were attributed to neglect or incapacity. He lamented the fate of those brave and able men, who were thus liable to suffer under unjust censures; and whose absence in a distant country, necessarily prevented them from having an opportunity to defend themselves. From his own knowledge, he could affirm, that they were as cruel as ill founded. It was impossible, at this distance, to pass a judgment on the operations of war; it was injudicious and unfair to estimate their propriety by the events. It was with particular satisfaction, therefore, that he perceived his Majesty and his ministers, and he believed a very great majority of the nation, entertained sentiments of a very different kind. A great deal had been already done, considering what great obstacles were to be surmounted; and he had the best founded hope, he said, that the issue would be no less prosperous, than the measures hitherto adopted were wise, and the execution of them honourable and glorious to those to whom it was entrusted.

His Lordship expressed great sorrow for the occasion of the war, and the effusion of human blood, which was inseparable from such a state; but he was convinced, how much soever his Majesty, the Parliament, and the nation might feel on the occasion, the temper of America made it neces-

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sary;

fary ; the people there had been deluded and misled by their leaders ; and nothing, he feared, would compel them to return to their allegiance, but a continuance of the same decisive exertions on our part, till we were fully enabled to convince them, that as our rights were indisputably supreme, so our strength was fully adequate to their full maintenance and support.

He concluded his remarks on the speech, with passing great commendations on that humane, gracious, fatherly spirit which, he said, it breathed, and the invitation it held forth to our deluded colonies, to return to their loyalty and their former constitutional connection, and attachment to this country. His Lordship moved, That an humble address be presented to his Majesty, to return his Majesty the thanks of this House, for his most gracious speech from the throne.

With hearts deeply interested in every event which tends to increase his Majesty's domestic felicity, and impressed with the liveliest sentiments of duty and attachment to the Queen, to offer to his Majesty the congratulations of his faithful Commons, on the birth of another princess, and on her Majesty's happy recovery.

To assure his Majesty, that we take a sincere part in the confidence which his Majesty expresses, that the conduct and courage of his officers, and the spirit and intrepidity of his forces, both by sea and land, will, under the Divine Providence, be attended with important success ; but at the same time we entirely concur with his Majesty, in thinking that it is necessary to prepare for such further operations, as future events, and the contingencies of the war may render expedient ; and that we learn with much satisfaction, that his Majesty is for that purpose pursuing the proper measures, for keeping his land forces complete to their present establishment ; and that, whenever his Majesty shall be pleased to communicate to this House any new engagements, which he may have entered into for increasing his military force ; we will take the same into our consideration, and we trust his Majesty will not be disappointed in the gracious sentiments, which he entertains of the zeal and public spirit of this House.

To declare, that we are truly sensible, that his Majesty's constant care for the welfare of his people, and his generous concern for the happiness of mankind, dispose his Majesty to desire, that the peace of Europe may not be disturbed ;
but

but that we acknowledge with equal gratitude his Majesty's attention to the security of his kingdoms, and the protection of the extensive commerce of his subjects, in his having made a considerable augmentation to his naval force, on which the reputation and importance of this nation must ever principally depend; and we hear with the highest satisfaction, and rely with perfect confidence on his royal declaration, that he will always be the faithful guardian of the honour of the British crown.

To assure his Majesty, that we will, without delay, cheerfully concur in all such expences as shall be found necessary for the welfare and essential interests of these kingdoms, and for the vigorous prosecution of the measures in which we are engaged, for the re-establishment of that constitutional subordination, which, we trust, with the blessing of God, his Majesty will be able to maintain through the several parts of his dominions.

That we acknowledge, with equal gratitude and admiration, his Majesty's paternal declaration, that he will be ever watchful for an opportunity of putting a stop to the effusion of the blood of his subjects, and the calamities of war.

That we cannot but still entertain a hope, that a discernment of their true interests, the remembrance of the blessings they once enjoyed, and the sense of their present sufferings under the arbitrary tyranny of their leaders, will induce the deluded and unhappy multitude to return to their allegiance, and will re-animate their hearts with a spirit of loyalty to their sovereign, and of attachment to their mother country.

That the gracious and condescending manner in which his Majesty expresses his desire that he may be enabled to restore peace, order, and confidence to his American colonies, cannot fail of endearing him to the hearts of all his subjects; and to assure his Majesty, that, when this great work can be accomplished, and settled on the true principles of the constitution, his Majesty may depend on the most zealous concurrence and support of this House.

The Earl of *Chesterfield* seconded the motion, in a few words. *Earl of Chesterfield.* He heartily agreed with what had been urged by the noble Lord who moved it. He was persuaded that the increase of the present royal family was the best security for the Protestant religion, and the preservation of the constitutional liberties of this country. He said, our commanders in America, both by sea and land, were entitled to our highest

confidence and thanks, and he made no doubt that their military skill, and the native bravery, intrepidity, and discipline of the troops, would in the end prevail. He lamented the occasion of employing them ; but, he observed, it became necessary ; he should therefore give his hearty concurrence to the address, as moved by the noble Lord.

Earl of
Coventry.

The Earl of *Coventry*. I have frequently, almost as often as the question has recurred, given my opinion of the impolicy of coercing America. I mean, in any or either event, practicable or impracticable ; and I am sorry that the means employed, as far as they have come to the knowledge of this House, have been so many fresh confirmations, that I have not been mistaken. Not a noble Lord in this House is more firmly persuaded than myself, that the supreme dominion and controul over every part and dependency of this empire, is ultimately lodged in this legislature. The very essence and being of government require such a supremacy to be lodged somewhere ; and it can hardly be seriously asserted, that the controul necessary to carry on the purposes of civil government, can be either divided or vested elsewhere. This supreme power, I do venture to affirm, pervades every part of the British dominions ; but, while I contend for this, I am equally convinced of the absurdity of exerting it at first, and the still greater folly of persevering in a conduct which, I fear, will sooner or later prove the destruction of this country. I now recommend what I have frequently before urged to your Lordships, to consider this country and America not what they are, but what they must be. Observe the scale both countries are laid down upon ; consider the very different states they are however slowly, approaching to. Attend to the vast extent of one, and the diminutive figure of Britain ; to their domestic situations ; to the increase of population in one, and the inevitable decline of it in the other ; the luxury, dissipation, and all their concomitant effects in this country, and the frugality, industry, and consequent wise policy of America. These, my Lords, were the main grounds on which I presumed to trouble you from time to time on this subject. I foresaw then, as I continue to do still, that a period must arrive, when America would render herself independent ; that this country would fall, and the seat of empire be removed beyond the Atlantic : nay, my Lords, so firmly persuaded am I of the event, that I always held it as a certain
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and natural consequence of the connection between both countries.

I therefore always wished, that that day should be postponed, as far as the causes I have mentioned could possibly admit of; for as surely, and as long as the grass continues to grow, or the smoke to ascend, the same causes will produce similar effects. As in the physical world they are uniform, so in the political they are no less certain. This will, I presume, account for the motives which have hitherto determined my conduct.

I should, my Lords, be very sorry to be misunderstood, as if I desired to accelerate the independence of America, on account of its unimportance to this country; nothing can be, or ever was farther from my thoughts; I know its value too well: I wished for the farther enjoyment of it, till I perceived that such an expectation was founded in error: that moment arrived, the instant the question relative to the right was agitated, or at least persisted in, so as to lay a foundation for measures of coercion, so long as we could have held America as a dependency, acknowledging spontaneously her subordination and political obedience to this country, America was worth retaining; when that friendly tie was broken, we should have endeavoured to conciliate; and if that did not succeed, then have proclaimed her independent, and brought over as friends and allies those whom a contrary conduct would of necessity have made our most inveterate and powerful enemies.

But, my Lords, besides those general reasons, which I have several times submitted to your consideration, others have since arisen, that give, in my opinion, additional weight to my former arguments; the chief of which is, the immediate impracticability and danger of the measures now pursuing; the imminent peril of not only the premature loss of our colonies, but, what I think infinitely more important, the destruction of this country; the precipitating us into that ruin which could not be effected but by the slow progressive operations of those political causes, which I have now alluded to; causes, which must, in all human probability, have taken place, at some very remote and distant period. Let your Lordships advert seriously to the true state of this country; the critical situation of affairs in America; the disposition of foreign powers; their ability and inclination to annoy us; the uncertainty of military events, and the numerous difficulties attending the carrying on a war at
such

such a distance ; in short, the manifold great obstructions, both natural and artificial, this nation has to contend with ; and I much doubt but your Lordships will be strongly inclined to look forward to the very alarming and serious consequences, a perseverance such as that now recommended from the throne, may, nay I fear must, be productive of. For my part, I see nothing but ruin before us, should they be adopted. Though late, I think it is better to sit down with our present loss, than continue to multiply those perils which surround us on every side. I think the only measure which promises even a temporary preservation, is to withdraw our fleets and armies ; and, by making a virtue of necessity, declare America independent.

These, my Lords, being my declared sentiments from the beginning, it cannot be supposed that I will give my concurrence to any vote for the further prosecuting this ruinous, mad, destructive war : I have risen therefore, my Lords, to give my direct negative to the address now moved.

Earl of
Chatham,

The Earl of *Chatham*. My Lords, I most cheerfully agree with the first paragraph of the address moved by the noble Lord. I would even go prostrate myself at the foot of the throne, were it necessary, to testify my joy at any event which may promise to add to the domestic felicity of my sovereign, at any thing which may seem to give a farther security to the permanent enjoyment of the religious and civil rights of my fellow-subjects ; but while I do this, I must at the same time express my strongest disapprobation of the address, and the fatal measures which it approves. My Lords, it was customary for the King, on familiar occasions, not to lead Parliament, but to be guided by it. It was usual, I say, my Lords, to ask the advice of this House, the hereditary great council of the nation, not to dictate to it. My Lords, what does this speech say ? It tells you of measures already agreed upon, and very cavalierly desires your concurrence. It indeed talks of wisdom and support ; it counts on the certainty of events yet in the womb of time ; but in point of plan and design it is peremptory and dictatorial. Is this a proper language to be used to your Lordships ? Is this a language fit to be endured ? Is this high pretension to over-rule the dispositions of Providence itself, and the will and judgment of Parliament, justified by any former conduct or precedent prediction ? No, my Lords, it is the language of an ill-founded confidence ; a confidence, my Lords, I will be bold to say, supported hitherto only by a suc-

Succession of disappointments, disgraces, and defeats. I am astonished how any minister dare advise his Majesty to hold such a language to your Lordships. I would be glad to see the minister that dare avow it in his place. What is the import of this extraordinary application? What, but an unlimited confidence in those who have hitherto misguided, deceived, and misled you? It is, I maintain, unlimited; it desires you to grant, not what you may be satisfied is necessary, but what his Majesty's ministers may chuse to think so: troops, fleets, treaties, and subsidies, not yet revealed. Should your Lordships agree to the present address, you will stand pledged to all this; you cannot retreat; it binds you to the consequences, be they what they may.

My Lords, whoever gave this pernicious counsel to the King, ought to be made answerable to this House, and to the nation at large, for the consequences. The precedent is dangerous and unconstitutional. Who, I say, has had the temerity to tell the King, that his affairs are in a prosperous condition? and who, of course, is the author of those assurances, which are this day given you, in order to mislead you?

My Lords, what is the present state of this nation? It is big with difficulty and danger; it is full of the most destructive circumstances: I say, my Lords, it is truly perilous. What are these little islands, Great-Britain and Ireland? What is your defence? Nothing. What is the condition of your formidable and inveterate enemies, the two leading branches of the house of Bourbon? They have a formidable navy; I say, my Lords, their intentions are hostile. I know it. Their coasts are lined with troops, from the furthestmost part of the coast of Spain up to Dunkirk. What have you to oppose them? Not five thousand men in this island; nor more in Ireland; nor above twenty ships of the line, manned and fit for service. My Lords, without peace, without an immediate restoration of tranquillity, this nation is ruined. What has been the conduct of your ministers? How have they endeavoured to conciliate the affection and obedience of their American brethren? They have gone to Germany; they have sought the alliance and assistance of every pitiful, beggarly, insignificant, paltry German prince, to cut the throats of their loyal, brave, and injured brethren in America. They have entered into mercenary treaties with those human butchers, for the purchase and sale of human blood. But, my Lords, this is not all;

all; they have entered into other treaties. They have let the savages of America, loose upon their innocent, inoffending brethren; loose upon the weak, the aged, and defenceless; on old men, women, and children; upon the very babes upon the breast, to be cut, mangled, sacrificed, broiled, roasted, nay, to be literally eat. These, my Lords, are the allies Great Britain now has; carnage, desolation, and destruction, wherever her arms are carried, is her newly adopted mode of making war. Our ministers have made alliances at the German shambles; and with the barbarians of America, with the merciless torturers of their species: where they will next apply, I cannot tell; for my part, I should not be surpris'd if their next league was with the King of the Gypsies, having already scoured all Germany and America, to seek the assistance of canibals and butchers. The arms of this country are disgraced, even in victory, as well as defeat. Is this consistent, my Lords, with any part of our former conduct? Was it by means like these we arrived at that pinnacle of fame and grandeur, which, while it established our reputation in every quarter of the globe, gave the fullest testimony of our justice, mercy, and national integrity. Was it by the tomohawk and scalping-knife, that British valour and humanity became in a manner proverbial; and the honours of war, and the *eclat* of conquest, became but matters of secondary praise, when compared to those of national humanity and national honour? Was it by setting loose the savages of America, to embrace their hands in the blood of our enemies, that the duties of the soldier, the citizen, and the man, came to be united? Is this honourable warfare, my Lords? Does it correspond with the language of the poet—"The pride, pomp and circumstance of glorious war, that makes ambition virtue."

No, my Lords, if success is ever to attend the British arms, Britain must recur to her former means of conquest. America will never submit to be slaughtered by foreign mercenaries. If any thing is to be effected, it must be by British levies, and British valour. In such a cause, should the raising of British troops become necessary, I should cheerfully co-operate. I would, my Lords, sell my shirt off my back to assist in proper measures, properly and wisely conducted; but I would not part with a single shilling to the present ministers. Their plans are founded in destruction and disgrace. It is, my Lords, a ruinous and destructive war; it is full of danger; it teems with disgrace, and must end in ruin.

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Our coasts are daily insulted ; our seas are torn with American privateers ; we are destitute of protection ; and we have lost the port of Lisbon, the only safe resort of our fleets, ships of war, and merchant-men. Should France and Spain throw off the mask, and declare against us ; should we continue to prosecute the same destructive system we have been now for the three last years unhappily and madly engaged in, that truly alarming event cannot be far distant. Those powers will most inevitably profit of our want of wisdom, if we do not immediately prevent it. The moment is critical, our situation is perilous, and we should trust as little as possible to events, which, according to every probable appearance, are more likely to make against, than for us.

My Lords, the house of Bourbon is ready to break with us ; they abet the cause of our subjects. Now is the time, my Lords, in which only we shall have it in our power to treat with America. France and Spain have done a great deal ; but they have declined to do all that America has desired. America is in an ill humour ; it may now be detached from its connections with those powers, if reasonable terms of accommodation are held out to them ; if not, the opportunity will be lost ; an opportunity, I will venture to say, we shall never again have. But your Lordships will ask, supposing we were willing to treat, is America equally well inclined ? To this I shall generally answer, that I think the political connection and superiority of this country with and over America is indissoluble and indisputable. I think this empire to be entire, but the peculiar rights, privileges, and immunities of its several constituent parts, to be sacred and inviolable ; I was consequently against any express parliamentary avowal of that right, because I thought it impolitic and unnecessary ; [His Lordship alluded to the declaratory law.] but as to America, and its views of independency, I must own, I always looked upon that country to be as much a part of Great Britain, to every purpose but that of taxation, as Devonshire, Surry, or Middlesex. When I say this, I would be perfectly and clearly understood, to reserve the colonies their municipal rights ; the preservation of their charters ; and above all, the right of taxing themselves ; for without this last right, I can never be brought to believe that America will return to its former state ; or if it should, that the colonies would have, in truth, any thing they could justly call their own. I would have your Lordships consider what this unlimited claim of taxation goes to, that a venal herd, at three thou-

and miles distance, assume to themselves the power of disposing of the fortunes and estates of a people, whose temper, abilities, and dispositions, whose wants, grievances, or material interests, they are totally ignorant of. There are many men of property in America; and of landed property too. Mr. Washington, who now commands what is called this night the rebel forces, is worth five thousand pounds a year; there are many others, men of considerable fortunes, sense, and understanding. Can it be believed, is it natural to expect, that such men of native weight, abilities, and consequence, will ever acknowledge a right of taxation, which would subject their property to the arbitrary controul and disposition of persons with whom they are totally unacquainted and unconnected? The idea is absurd. The Americans are a wise, industrious, and prudent people. They possess too much good sense, and too much spirit, to ever submit to hold their properties on so precarious and disgraceful a tenure. They see us, besides, immersed in luxury, dissipation, venality, and corruption; they perceive, that if even they were willing to contribute, to what purposes their contributions would be applied; to nothing but the extinction of public and private virtue there, as has already been the case here. The idea of taxation, my Lords, I think, therefore, both unjust and impracticable; but the great bond of union, the only tax we should or ought to expect from them, that derived from their trade, must be secured. I will never consent to the American claims of sovereignty. If there be any in this House who contend for it, I disclaim all connections with them. I shall be ever for securing the constitutional dependency of the colonies on this country; and it is principally with that view I make the present motion, which is solely directed to that point. An opening now presents itself. I would wish your Lordships to embrace it. I mean to propose a cessation of hostilities, as the first step towards so desirable a work. If your Lordships should approve of it, I mean to follow it with a proposition for appointing a committee to consider of such immediate measures as may empower the Crown to send commissioners, vested with certain powers, to treat on specific terms; and if America should prove deaf to all reasonable overtures on our part, in which, as the basis of the whole, the preservation of the act of navigation should be one; then it will remain with your Lordships to consider of the properest measures to compel them to a performance of that duty, which they would, by so unna-

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tural a conduct, most unjustly withhold. I think I might safely pledge myself that such an offer would not fail to succeed. I know that faction reigns in some part of America, and that, probably, some who compose that faction look for independency, and nothing else. I know too that the middle colonies are more temperate, and that they, and those to the southward, if they had the security now mentioned, would gladly return to their former state. Many other objections may be raised against such a plan. It may be said, who shall offer, and where will be the security on either hand for a faithful performance, should the troops be withdrawn, or the levies disbanded? To this I answer, not by any declarations of right here, or assertions of it there, but barely by operative acts here, consented to, acknowledged and ratified by the several assemblies in America. These are my ideas, founded, I believe, on a thorough knowledge of the people of that country. I know that the war you are carrying on there is a ruinous one, and totally impracticable. I know, if you should determine to prosecute it, you must raise home levies; for I am persuaded that the colonies will never consent to treat with you, nor submit, while there is a single foreign troop in your service. His Lordship then moved the following amendment;

“ That this House does most humbly advise and supplicate his Majesty, to be pleased to cause the most speedy and effectual measures to be taken for restoring peace in America, and that no time may be lost, in proposing an immediate cessation of hostilities there, in order to the opening a treaty for the final settlement of the tranquility of those invaluable provinces, by a removal of the unhappy causes of this ruinous civil war, and by a just and adequate security against a return of the like calamities in times to come. And this House desires to offer the most dutiful assurance to his Majesty, that they will in due time cheerfully co-operate with the magnanimity and tender goodness of his Majesty, for the preservation of his people, by such explicit and most solemn declarations and provisions of fundamental and irrevocable laws, as may be judged necessary for ascertaining and fixing for ever the respective rights of Great-Britain and her colonies.”

The Earl of *Sandwich*. I am persuaded of the great talents Earl of
Sandwich. of the noble Earl, who has now presented you with so alarming a state of our public affairs. I know his powers of oratory are universally acknowledged, and that with great justice. This nation owes him very signal obligations, as a se-
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nator and a statesman; but, with all possible deference for the noble Lord's abilities and opinions; notwithstanding every advantage of knowledge and experience; notwithstanding the noble Lord's amazing powers of oratory, I very freely confess, that I cannot agree with his Lordship in a single argument he has urged in support of his amendment. Oratory is one thing, my Lords, and truth, reason, and conviction another. When the matter the noble Earl has urged this night is separated from the manner and oratoric powers which has accompanied it, it will most certainly be found to contain nothing that can induce your Lordships to dissent from the address now moved. It is, in my apprehension, though urged with all possible plausibility, totally destitute of any thing which bears the resemblance of argument. The noble Lord has, I presume, been much misinformed: otherwise he would never have asserted what I know myself to be unsupported by fact. I do not impute to his Lordship any intentional design to mislead; but speaking of matters within my own knowledge, I hope his Lordship will excuse me for dissenting from him, and endeavouring to set the House right on facts, which, if not contradicted, might be presumed to be true. I should not have, indeed, troubled your Lordships, if I had not looked upon myself specially called upon to explain what must have come under my own cognizance, in my official situation, as presiding at the naval department. It is rather a disagreeable task. There may be many strangers and foreigners present; and what passes here this night, in discharge of my duty, as an official man, may be waisted by the next post to the continent; but the noble Lord's assertions, call for explanations, on my part. Lest therefore, the public should be misled, or that it should get out into the world, that the noble Earl's confident assertions, respecting our navy, are just, I shall crave your Lordship's indulgence, for entering a little more, than usual into detail.

I do not, my Lords, mean to controvert his Lordship's facts on mere memory, I speak from papers now in my hand; from authorities not to be contradicted. The noble Earl asserts, that the whole of our naval home-defence does not amount to twenty ships of the line, fit for the sea. [*Contradicted.*] I mean, that we had not twenty ships of the line manned for actual service: I think, I report his Lordship's words accurately. [*Again contradicted.*] I understood the noble Lord in that sense: but supposing the fact to be as now explained, that we had not above twenty ships of the line

line fit for service, it will equally answer the purposes of my argument. I tell the noble Earl, that he has been misinformed; and that he should not again credit those who have in this instance so grossly deceived him. I have the list now before me; and I will venture to assure him, that we have double that number. We have now forty-two ships of the line in commission, in Great-Britain; thirty-five of which are completely manned, and ready for sea at a moment's warning. When I say this, I would wish to speak accurately, and submit the whole to your Lordships judgment. These thirty-five ships, when their complements are full, require 20,890 men, seamen and marines included. Of this number, 18,240 are actually shipped, and the remainder are ready as soon as called for. The deficiency is composed of 2035 marines and 600 seamen, who are now at the several ports. The marines are on shore, on purpose to improve them in discipline, and the use of arms; two-thirds of them being nearly composed of recruits; the 600 seamen are distributed aboard the other seven ships, whose complements are not yet formed. Those seven ships will require 4000 seamen and marines, in the proportion of 700 marines to 3300 seamen. Of the seamen, there are 900 already on board those seven ships; so that of the forty-two ships of the line in commission, all found, provided, and well found, there are 2400 seamen and 700 marines wanting. The former can be procured at a very short notice, by the means of a press, or on an emergency, recalling the protections now out, and other justifiable means, should the exigencies of the times make such exertions necessary; and as to the marines, they could be completed by recruits, as in the instance before-mentioned. This information is supported by documents not to be disputed. The noble Earl seems to doubt of our state of preparation against any sudden attack in America: As to that, I can inform his Lordship, that our whole force serving under Lord Howe consists of ninety-three ships and vessels of war; six of these are of the line of battle; besides which, there are eighty-seven frigates, sloops, and vessels of force. The noble Earl has dwelt greatly on the ravages and insults of the American privateers, both in America and on our own coasts. As to the first, the best answer will be, the great number of rebel vessels our ships on the American station have taken, and the very few losses we have sustained in those seas; and as to the latter, the number of frigates and armed vessels which were requisite for carrying on the naval
ope-

operations under Lord Howe, I acknowledge, stript us of our frigates : but care has been taken since to remedy that evil and replace them. Thirty-four frigates and smaller vessels were before in commission, and employed on different services ; ten have been built in the King's yards since, thirty in private ones, besides twenty that have been purchased from the merchants, or are retained and paid as vessels of force ; making in the whole between ninety and a hundred. From these facts, I do venture not only to contend that the noble Earl has been grossly deceived, but that we have a naval force now ready for sea, should France and Spain entertain any hostile disposition towards us, much superior to any they can muster. I believe they have not any such intention : but should the worst happen, I am persuaded, from my own certain knowledge, that they have nothing able to cope with us in Europe, as our whole force now fit for, or on actual service, consists of fifty-four ships of the line, and upwards of two hundred frigates, sloops, &c.

The noble Earl asked, after giving an account of the deplorable state of our navy, with what justice I leave with your Lordships to now determine, where is the man of reputation in his profession would stake his credit on any naval force we are able to send out ? I will answer his Lordship, that there is such a man [Admiral Keppel] to be found, who knows the present state of the navy, and is ready to stake his credit on the issue, and willing to meet the enemies of this country, if any such there be---as brave, gallant, and experienced an officer, as respectably connected, and as nobly allied, as any in the service ; a man in whom the noble Lord himself would wish to confide, and of whom he entertains the most exalted opinion.

The noble Lord says, we have lost the port of Lisbon, and that Portugal is no longer our ally : this information, I must confess, is totally new to me. I know, by the last return I have had from thence, the *Invincible*, a seventy-four gun ship, was in that port ; and unless his Lordship has had some secret account, that she has been either lost or taken by an American privateer, I can hardly credit that we have lost the port of Lisbon : as to the other point, on which I presume his Lordship meant seriously to support the assertion, I can answer his Lordship, that the Portuguese court has repeatedly given us the fullest assurances of their friendly disposition ; have expressed an abhorrence of the unnatural conduct of our rebellious subjects ; and, as a further proof of the
sincerity

sincerity of their declarations, have forbid them to enter their ports; nay more, have confiscated one of their vessels for having endeavoured to disobey the proclamation, which last circumstance excited the resentment of the rebels so much, that one of their privateers, by way of reprisal, made a capture of a Portuguese merchant-man, richly laden.

My Lords, from what I have now submitted to you, I am authorised to affirm, that our navy is more than a match for that of the whole house of Bourbon. I am not ashamed to say it, nor shew my front on the occasion. There are many fronts in this House, I perceive, [*Looking over the way.*] which seem now to be spread with joy and gladness; but I believe the time is not far off, when they will wear a very different aspect. I trust, we shall shortly hear intelligence from General Howe, that will occasion that change. I should, my Lords, be extremely sorry, as presiding at the admiralty-board, if I permitted at any time the French and Spanish navy united, to be superior to the navy of this country; I should, indeed, be wanting in the discharge of my duty. The noble Earl, who moved the amendment, affirms, that those powers bear hostile dispositions towards us; and have given the fullest proofs of it by the underhand assistance they have afforded our rebellious subjects. I have strong reasons to believe the contrary; but supposing it to be true, would the noble Lord, under such circumstances of peril and distress, as he represents the affairs of this country to be in, precipitate us into a war with those powers? I hope not. The truth is, we have, from time to time, pressed the court of France on the illicit trade carrying on in their ports with our rebellious subjects; and when it became necessary to be more explicit, made the strongest remonstrances; the consequence of which was, that immediate orders were issued, forbidding any American privateers to enter their ports with prizes. These orders have been strictly complied with hitherto. Two prizes were reclaimed, and recovered under the ordinance. It is not improbable, that some very unjustifiable transactions may have taken place, under a kind of connivance; but though it were so, no friend to his country would wish to embroil us. But a time may come, when a full reparation may be obtained, for any injurious treatment we may have received from either France or Spain.

I cannot agree with the noble Lord's amendment on many accounts. What does it propose? Terms, in my opinion, the most extravagant and disgraceful; to lay down your arms, and submit to your rebellious subjects. Is this a

language befitting the mouth of that great minister, who directed our victorious fleets and armies to every quarter of the globe? Would he recommend to us to disarm, and sue for peace to the Congress, or the rebel General? [Here, as in the preceding sentence, he was desired to advert to the words of the motion, which were not for laying down our arms, or withdrawing our troops, but merely for a cessation of hostilities.] But take it in this way, my Lords, how can you treat with those as subjects, who look upon themselves as a sovereign state, and claim independency? I readily accede to what the noble Earl said, relative to his own sentiments of what appeared to him a just ground of conciliation; but will the people of America agree with his Lordship on those fundamental grounds, the sovereignty of this country, and the act of navigation? I dare say, his Lordship's most sanguine expectations do not go so high. It is a way of thinking very different from the majority of those who will this day vote with his Lordship.

To conclude, my Lords, I am happy in having an opportunity of setting his Lordship right. I am happy to have it in my power to inform your Lordships of the very respectable state of our naval home-defence; and that it should be generally known, that we have nothing to dread from France and Spain, but will be at full liberty to prosecute this war to a fair, honourable, and happy issue. I sincerely approve of the proposed address, in all its parts, and am as heartily against any measures of procrastination or delay, which the amendment certainly would effect, if agreed to.

It was the misfortune, in the beginning of this disagreeable contest, to adopt a mistaken lenity, to act timidly, to be too apprehensive that the nation would not readily concur, or be satisfied of the necessity of acting timely and vigorously. If my advice had been taken three years ago, we had not been in this situation now. I was for sending a proper force at first; but one opposed it with one sort of reason; another, with another—plausible indeed, but futile and delusive. Those apprehensions were ill founded; the mischiefs they occasioned are acknowledged, and will, I trust, henceforward be avoided. I have the most confident hopes, that the first accounts from America will be favourable; and that the most sure and certain means of ensuring a happy termination to the present rebellion, will be, by a perseverance in the measures recommended from the throne.

Earl of
Abingdon.

The Earl of *Abingdon*. Unhabituated as I am to public speaking, and the formalities of parliamentary debate, I should,

in any other times but these, content myself with a silent sanction to this day's motion of the great and noble Earl: but, my Lords, our danger is much, and our sensibility very little. We have been misadvised, misled, and deceived; the nation has been made to destroy itself, and, like the vulture, to prey on its own vitals, perhaps as an intended punishment by those who brought it into this state, for past offences; but a day of enquiry must come. In the mean time, let us embrace the sage counsel of that great statesman, by whose counsels this country has been already raised from despair to glory. His doctrine is for fundamental and irrevocable laws, and not for acts of Parliament, destructive of fundamental and irrevocable laws. Such acts are the laws of tyrants, and not the acts of a free and limited government. The legislature of this country cannot deprive America of life, liberty, and property; and yet all this, in subversion of our constitution, is attempted. But, my Lords, these laws must be repealed. They must be repealed, whether America be lost to this country or not: they are like Draco's laws, written in blood, and will make savages of our posterity, if not blotted out. The present motion is for peace, obtain it if you can. I fear we have already clinched the nail of our ruin; but any thing is better than the present nefarious system. My Lords, I will not trouble you any longer; this motion meets with my most hearty concurrence.

The Lord *Wycombe*, [Earl of Shelburne.] It is with astonishment I behold the conduct of ministers; I mean, a perseverance in the same contemptuous treatment of this House, the having the presumption to face the great hereditary council of the nation, without a tittle of information, or a single scrap of paper, to induce you to concur with them in the blind destructive measures they now propose. It is true, the noble Earl at the head of an high official department, has entertained us with some curious memorandums; but of what, my Lords? What he is pleased to believe, and what he would persuade you to believe, is the present flourishing state of the British navy. I do not question the noble Lord's veracity, but I much doubt the truth of the facts I have heard now stated. I am sensible of his zeal and ability, in endeavouring to persuade your Lordships, that the information he has laid before you is what I am convinced it is not. Are those little, unauthenticated details, proper parliamentary information, on which your Lordships may, as the hereditary counsellors of your Sovereign, and as the great constitutional guardians of the interests of your country, depend, deliberate and determine upon?

upon? Certainly not. Look back into your Lordships journals, till very lately, and see if this was the kind of information this House was wont to be satisfied with. If you do, my Lords, you will find that your predecessors were not contented with any thing short of the most satisfactory, circumstantial, and minute details. You will find, my Lords, that the Duke of Marlborough, in the height of his most splendid victories, was not above accompanying such details, as far as they respected himself, with the most explicit communications and explanations, of not only what was done, but generally gave a substantial sketch of his intended future operations. So it was with all his cotemporary officers, naval and military. Their opinions were already formed, and they did not fail to declare them in either House, as often as called upon. In point of the expenditure of the public money, the other House were still (it being more immediately within their province) more inquisitive and circumspect; and ministers, nor even papers, were not solely depended upon in either. What is the case now? Papers are withheld, on system, explanations are refused, and professional men remain silent. This, my Lords, is our present station. We are called upon to concur with ministers, for no other reason but because they desire it; and write a panegyric on their own measures; and we are desired to believe them on every fresh occasion, because they misled and deceived us on every preceding one. The noble Earl, with all the parade of office, has told us many things this night, with great confidence. I believe his Lordship would not purposely mislead us; but how do we know but the noble Earl may have been misled himself? He may have trusted to a secretary, or under secretary, who perhaps has had an interest in misleading him. The noble Lord affected a delicacy peculiar to himself, in telling us what he did. He insinuated a degree of reluctance in communicating official information; but threw off all restraint, lest the public should be misled by the assertions of the noble Lord who moved the amendment. I shall not determine which of the two accounts come nearest the truth; but for my part, I shall never give a parliamentary credit to any information which wants the stamp of official authenticity. The noble Earl is liable, as I said before, to be imposed upon. It is only on ordinary occasions that I would even trust to office-papers; on extraordinary occasions, when any well-founded doubt or suspicion of imposition arose, I should, as had been always the case, till very lately, prevent even the noble Lord from being deceived.

ceived. I would order the inferior officers in his department to the bar of this House, there to be examined and made responsible for whatever they vouched in their several stations. I remember a circumstance extremely applicable to the idea now thrown out. Prince George of Denmark, who presided at the board at which the noble Earl is at the head, was called upon for some explanations. His Royal Highness gave them according to the information which had been communicated to him. Doubts still remained in the House, that the Prince was deceived. The proper officers were called to the bar and interrogated. And what do your Lordships think was the effect of the enquiry? They confessed their mistake, and apologized to the House, that the official information given to the Prince, and which he imparted to the House, was taken from an anonymous pamphlet! I leave the noble Earl to make the application, and your Lordships to judge how far the two cases must be similar.

The noble Lord, I think, with great justice, has passed the highest eulogiums on a certain great naval officer [Admiral Keppel]. I believe there is not one of your Lordships entertains a second opinion of the professional and personal merit of that great man. But in his Lordship's zeal, I fear he has promised more for the Admiral than he would wish to be responsible for. He says, that officer is ready and willing to stake his reputation, as a professional man, on the present state of the British navy, in the event of a rupture with France and Spain. I question it. Is that gallant officer thoroughly informed of the whole of the arrangement, so pompously described by the noble Lord? Does he know and approve of the officers who are to serve under him and co-operate with him? Do the inferior arrangements meet with his approbation? In short, is every thing which creates confidence in an officer of judgment and experience, perfectly within his knowledge? I answer, these things cannot be; and for this reason, if the public prints are to be depended upon, that gentleman has been for a considerable time out of the kingdom; he has been at Spa, for the recovery of his health. I know with what industry these reports have been circulated for some time past; and I know too, to borrow a phrase from a great military officer [General Burgoyne] that there is a physical impossibility that they can be true. I grant, if the noble Earl is contented with the concession, that the officer alluded to is too gallant and brave, too full of military honour and personal spirit, to decline any service, when called upon by the interests of his country, in repelling the attacks of its natural and inveterate enemies.

enemies. This was precisely the case with that other most able officer, Lord Howe, who has performed services for this country scarcely paralleled in the British annals; and has surmounted obstacles scarcely credible, in his present operations in America. The landing and relanding of troops is known to be the service attended with the greatest perils, and most liable to miscarriage; yet this noble and gallant officer, in a series of embarkations and debarkations, with so numerous an army, has executed his task with a success hitherto unknown, in the history of such a mode of naval war. These two officers, men of such transcendent desert, were passed by, neglected and insulted; they were denied their rank; but nothing could quench the noble ardour they retained for the glory and interests of their country.—In this sense, that one of them has accepted of a command, that the other is ready whenever called upon, I am willing to believe; but that either one or both, were, or are willing to stake their credit on the issue, is what I can never be persuaded to assent to.

The noble Earl speaks with great confidence of the expected success of our military operations, but upon what rational foundation I am yet to learn. The issue of Mr. Burgoyne's expedition is too melancholy to be made a subject of conversation; his army, by every appearance, is destroyed; but supposing the contrary, and that not finding it practicable to push forward, he has been so fortunate to effect a retreat to Ticonderoga, or any of the other posts he left behind him; nay granting more than the modesty of administration will permit them to even so much as suggest, that by subsequent successes he has formed a junction with General Clinton, and has reached New-York; what end would this answer? but that at the expence of many millions, and two campaigns, he has reached a place by land, which he could without the least trouble or interruption have reached by sea, in almost as many weeks.—I dare say there is not a professional man in this House, that neither of the noble Lords [Townshend and Amherst] whom I have in my eye, and who have served with so much credit in America, will say, that he can effect any thing more than a mere junction this campaign; or that he will be able, though he should have penetrated to New-York, to preserve a single post behind him.

But as in the instances already mentioned, this whole war has been conducted upon little narrow principles, principles originating from factious prejudices and premeditated delusion, on purpose to procure a parliamentary sanction, to what was in itself impracticable.—The General who commanded

in Canada, [Carleton] was consulted upon the practicability of the military operations, by way of the Lakes; he disapproved of it, as attended with singular difficulties, and promising, though they should prove successful, very few solid advantages—but this gentleman was still guilty of a greater offence against his employers; he reprobated the idea, and shrunk with horror from the proposition of employing savages. The event has proved his judgment as an officer, and does honour to his feelings as a man. I do not pretend to question the military talents of General Burgoyne, though I know very little of them, or the gentleman: but I feel with a mixture of pity and indignation, the true motives for his appointment. They were such, I fear, as will not bear the light. Administration pretend, that General Carleton being the senior officer, as soon as he set foot beyond the limits of his province, the superior command in America would have devolved on him. A poor subterfuge! Was there no other scene of action for Mr. Carleton? and was Mr. Burgoyne for that reason only appointed in his place? Could not General Carleton have directed his operations into the New England provinces, and General Howe to the southward? Was America too small to contain them? or was General Carleton superseded in his command, lest he should command General Howe at New York, though administration previously knew he was not to be there? But, my Lords, besides the other great difficulties our officers have had to contend with, our troops have, I am well informed, been commanded (strange as it may sound in your Lordships' ears) at home; they have been directed in their operations, not in the field but the cabinet. The orders that have been sent out have extended even to the *minutiæ* of the profession, and have furnished subjects of ridicule to the very subalterns of the army. There is a man it seems in this country [supposed to mean Lord George Germaine] who has so great a confidence in his military talents, as to think he can command an army, and ensure victory in his closet, at three thousand miles distance from the scene of action.

The noble Earl's modesty will not permit him to directly affirm that France has not connived at least, at the illicit intercourse carried on between her subjects and our American colonies; but he tells you, that even that connivance is at an end. Is his Lordship no better informed? If he is not, I will tell him the true state of the case: the cargoes and prizes are sold, as heretofore, but at an under value: there are American agents or brokers in all the French ports, where any commerce is carried on with our colonies, who treat with the prize-masters

masters on their own terms; they tell the venders, you cannot dispose of your property here, there is an ordinance against it: I will give you so much. The captor is thus compelled to sell at the broker's price; and the ordinance, instead of preventing the traffic, answers only one purpose, that of enriching the French King's subjects. His Lordship then recapitulated his general reasons, relative to the latent and ultimate designs of France, the impracticability of success, and expressed his hearty concurrence in the amendment moved by his noble friend.

Earl of Suffolk.

Lord Suffolk—The noble Earl who moved the amendment has proposed, that we should withdraw our troops, and lay down our arms. [*Contradicted.*] It would answer the same end. His Lordship would recommend a cessation of hostilities, and leave us at the mercy of our rebellious subjects; but supposing that no immediate danger were to ensue, what does the amendment import? That a cessation of hostilities should take place. I suppose his Lordship means with subjects, because he explained himself so in debate. But I presume, when his Lordship recollects what passed at Staten Island, between the persons deputed on the part of the Congress, the noble Lord will abandon a project totally unattended with the most distant prospect of success; for there the great basis for entering into any negotiation was peremptorily insisted on by the deputies to be an acknowledgment on our part of the independency of the colonies: in short, to recognize and treat with them as a sovereign, independent state, unitedly represented in the Continental Congress. This one fact, therefore, in my opinion, overthrows every reason urged by his Lordship in behalf of his motion, as leading to treaty or negotiation.

The noble Earl has passed the highest eulogiums on the Americans and their cause, and, in the career of his zeal, on the officers serving in the rebel army. He has been equally profuse in his censure and contempt of the foreign troops serving in ours. He highly condemns the measures of taking foreigners into our pay, but seems to applaud a similar conduct in the rebels. My Lords, for my part, I see no difference, only in the superior prowess and military skill of one over the other. The Germans are acknowledged to be as brave soldiers as any in Europe; few I think will contend that the French are so, or that they are at all equal to those of Germany. But, says his Lordship, they have procured French officers to discipline and command their troops. What then, shall prudence and necessity justify in one instance, and shall we be denied the exercise of the same prudence, when called upon

upon by the vital interests of our country? Shall we not avail ourselves of taking foreign troops into our pay, when our rebel subjects employ foreigners? or shall such a procedure on the part of administration justly merit all the harsh, passionate expressions the noble Lord has bestowed on it; and shall it be imputed as the effect of wisdom and prudence in our enemies? Why should not we avail ourselves of the discipline of our allies, as well as our rebel subjects that of the French officers?

The noble Earl, with all that force of oratory for which he is so conspicuous, has charged administration as if guilty of the most heinous crime, in employing Indians in General Burgoyne's army: for my part, whether foreigners or Indians, which the noble Lord has described by the appellation of savages, I shall ever think it justifiable to exert every means in our power to repel the attempts of our rebellious subjects. The Congress endeavoured to bring the Indians over to their side; and if we had not employed them, they would most certainly have acted against us; and I do freely confess, I think it was both a wise and necessary measure, as I am clearly of opinion, that we are fully justified in using every means which God and Nature has put into our hands. I think it was a very wise and necessary step, on many accounts; nor can I ever be persuaded, whoever was the adviser, but his conduct will stand the full test of public enquiry.

The noble Lord, who spoke last [Lord Shelburne] supposes that administration had conceived some disgust at the conduct of General Carleton. If he has been informed so, I do assure his Lordship, he has been deceived; or if it be his own suggestion, the noble Lord is egregiously mistaken.—The pretended cause assigned by the noble Lord for this supposed disgust, is equally ill-founded. There never existed a colour for it.—He says, Mr. Carleton refused to employ the Indians in our service, or at least disapproved of the measure.—This information is no less erroneous. Mr. Carleton always obeyed the instructions he received from hence. I have never understood, that he was at all averse to a strict and rigid performance of his duty; nor could I learn he ever disapproved, or complied with reluctance in any one particular of his duty. So far from any such thing, his services were highly esteemed; and he was ever looked upon by the servants of the Crown, as an able and meritorious officer.—The reasons therefore for appointing Mr. Burgoyne neither originated in that gentleman's dissatisfaction or personal disgust at ill-treatment, nor dislike to

the service, or the measures and mode of conducting the war, nor to little, narrow prejudices of any kind.

The noble Lord supposes the most extraordinary thing imaginable. Nay he asserts, that the instructions sent from hence to our naval and military commanders, refer to the most minute and trifling operations of the service; and so much so as to be sufficient to furnish subjects of ridicule to the very subalterns of the army. I am sure, I am totally unacquainted with any such instructions; they have, as far as they came within my knowledge, been drawn up in the usual manner; general enough, to give the commanders in chief full latitude to act according to their own judgment, and to profit of times, events, and circumstances.—If any other have been given, which I think extremely unlikely, they have not come within my knowledge, or been with my participation. I may venture to say with confidence, that none such have been sent.—The noble Earl, who moved the amendment, objected strongly against the employing of foreigners, and recommended the raising of home-levies. I still continue of the same opinion, that it is much better to employ foreigners. We have them, in the first place, disciplined to our hand. They are veterans, and have been used to tried service; and of course are much preferable to raw troops, with whom the most exalted courage will never supply the defect of discipline, and the military habits, that are necessary in the first instance, to constitute the useful, effective soldier.—But even if that were not the case, the distressing our commerce and manufactures, the draining this country of its most useful hands, and thinning its inhabitants, who are far from being at present too numerous, are so many very strong reasons with me for availing ourselves of foreign aid, and hiring troops instead of raising them at home; nor do I think, the internal state of this country, in respect of its manufactures, population, &c. will ever admit of any extensive military operations being carried on without procuring the assistance of foreigners.

For these reasons, my Lords, I am perfectly satisfied, that a perseverance in the measures recommended from the throne, will be the most safe, speedy, and effectual means of putting an end to the present unnatural and unprovoked rebellion.

Marquis of
Carmarthen.

Lord Osborne. [Marquis of Carmarthen.] Whatever may be the issue of the present American contest; whatever mistakes may have been committed in the beginning or progress of this business, I am for agreeing with the proposed address; and of course for dissenting from the amendment. I am as anxious as the noble Earl, who moved it, for the attainment of the

the object which he proposes, that of a fair and amicable termination to this unhappy rebellion; but I am firmly persuaded that the amendment, if agreed to, would have a direct contrary effect, and would only appear to the colonies as proceeding from our inability to reduce them to a state of constitutional obedience. The noble Lord's own words confirm me in this opinion. In a former debate, his motion of repeal towards the conclusion of the last session, he said, if France dared to interfere, we should attack the Provincials under the French cannon. The only appearance of solid ground taken by his Lordship this day, is, that if we do not at this crisis hold out terms to the colonies, when they are out of humour with France, France and America will unite, and the latter will be lost for ever to this country. Both these arguments cannot be right. We should attack them under the French cannon, or not. For my part, if an option were to be taken, I would chuse the former, which at the worst can only be the case. I think there is no prospect of any such event; but if any thing could produce it, I believe the noble Lord's amendment would be the most likely. Preparation and vigour, such as that recommended in the speech, will be the surest means to prevent the interference of France; for which reason, I shall give my vote in support of the measures approved in the address.

The Duke of *Grafton*. Nothing, my Lords, can be more unparliamentary and indecent than the frequent personal allusions imputing an opposition to the measure now proposed to factious motives, and presuming that every man who differs from administration is an enemy to his country. This, I say, my Lords, is, at least in some cases, only to answer the temporary purposes of debate: the very gallant, naval officer [Admiral Keppel] who has been so often mentioned this night, is a striking instance of it. I presume it is no secret to either of the noble Lords in office, that that gentleman highly disapproves of the present unnatural civil war. It is well known, that he has frequently given a public testimony of his disapprobation, and has supported his opinion by his vote, as a senator; yet, according to the insinuations of the last noble Lord in office who spoke [Lord Suffolk] every person who has the misfortune to differ from his Lordship is an enemy to his country. How the noble Earl, at the head of the naval department, and the other noble Earl in office, will reconcile their opinions with their conduct, I do not pretend to say; but it is somewhat remarkable, that this fleet, which has been so highly extolled by one of them, and on which, it is acknowledged by both of them, the salvation of this country so entirely depends,

pend, should be trusted to a person who, according to the current ministerial language of this House, must be deemed an enemy of his country.

It is, my Lords, a matter well worthy your consideration, before you agree with the address now proposed, whether you have any, or sufficient information, to direct you. I am certain there we have had none, which induces me to suspect; if there be any, it is not fit to be revealed; otherwise, we may be certain it would have been brought forward with all possible parade. It is with astonishment, therefore, I hear a secretary of state [Lord Suffolk] rise in his official character to speak; and not acquaint your Lordships with any one circumstance relative to the grounds of his assent; or a single reason to induce you to concur in the measures which he has so zealously supported. This silence of ministers; this proceeding in the dark; this implicit faith, is what has brought us into our present alarming and calamitous situation. Calling for the advice or concurrence of this House, is to the last degree absurd. How is it possible your Lordships can either advise or deliberate, while you remain totally ignorant of the true state of affairs? Confidence should be preceded by something to create it. You are, my Lords, called upon to concur; that is the purpose you are solely called upon. Your sanction is desired, because in point of form it still remains necessary; but as to calling for papers, or setting enquiries on foot, the very idea of it is extinct. The liberty of calling for information is still permitted; how long it may remain so, is uncertain; but while it is permitted, I claim its exercise. Sitting here, in the year 1777, therefore, as a Peer of Parliament, I say we have been imposed upon, deceived, and misled; that to retrieve past miscarriages, and prevent them in future, Parliament should not longer trust to ministers; but deliberate and determine on their own knowledge and judgment. This cannot happen, without we are made acquainted with every material circumstance relative to the true state of affairs; and I repeat again, that from the commencement of the present measures, down now to the latter end of the year 1777, we have given an implicit blind approbation to whatever has been proposed to us by ministers.

There is not one of your Lordships has a more exalted opinion of the Prince on the Throne than I have; but in considering the speech, it is constitutional and parliamentary to consider it as the speech of the minister. In that light I shall treat the speech delivered from the throne this day, which, I will be bold to say, is an insult on the understanding and wisdom

of this House; and that the conduct of those who now defend it is an aggravation of their first offence in framing it. The speech says nothing, but simply to concur in whatever ministers shall think proper to do. It calls for the most unlimited powers, for the most extensive confidence, without telling any one circumstance, to satisfy you, that those already granted have been wisely used, or that in future they will be more successfully employed; but what renders this contemptuous treatment still more unpardonable, and indeed ridiculous, is, that a secretary of state, who, from his official situation, must be near the person of his sovereign, and of course have an opportunity of instilling sentiments similar to his own, into the royal breast, should justify and avow it here in the face of your Lordships; the fair substantial import of the noble Lord's argument having been, "the speech, it is true, contains no information, nor shall I give you any; but nevertheless, your Lordships must believe that I have."

I have, my Lords, considered the measures recommended in the speech, with all possible attention, and see them in the same light of all the preceding, and think from my heart sincerely, that they must terminate in the ruin of this country. I approve of the amendment proposed by the noble Lord and able statesman, as the first step towards a full inquiry, leading to information; for without that, I am convinced we shall continue, as we have hitherto done, to run headlong to our own ruin. When information shall be once obtained, then will be the time to consider of the most wise and proper measures. If ever that day should arrive, I pledge myself that I will endeavour to discover the author or authors of the present measures.

I remember, my Lords, the last day the affairs of America were discussed in this House, a noble Viscount, high in office [Lord Weymouth] who opposed the proposition made by the same noble Earl who moved the present amendment, supported his dissent solely on this argument:—We have been put to the expence of the present campaign. It will be already begun before any resolution taken here can reach America. We have the fullest confidence of success, from the number, discipline, and intrepidity of our troops, and the ability of our generals; when therefore we shall be victorious, will be the proper time to negotiate and hold out conditions. We can then treat with honour to ourselves, and with a fair prospect of success; consequently a proposition to accommodate may then be reasonably listened to; or supposing we should not succeed, we shall then be at liberty to agree to what is recommended.

—Now, my Lords, that period is arrived, accompanied with, I think, additional motives for accepting the noble Lord's motion. The noble Viscount's predictions have failed, or have not as yet to our knowledge been fulfilled. Victory has not declared for us, or, if she has, in either event the season is come in which the propriety of such a proposition, according to the noble Viscount's reasoning, may be properly listened to and adopted. His Grace entered, besides, into the propriety of the amendment; the impracticability of success, and the innumerable bad consequences which would follow, though victory were certain; and concluded with giving his hearty assent to the proposed amendment.

Ld. Camden.

Lord Camden. My Lords, I rise to support the motion made by the noble Earl. When the measures meant to be sanctioned by the address of this day were first proposed to your Lordships, it was said with confidence by some of the very persons, who still have the modesty to expect that you will continue it, that a single dragoon would strike such a terror into the hearts of the people of America, that they would submit to your measures. That experiment not having been thought prudent, you passed an act for shutting up the port of Boston, by which you not only inflicted a public punishment on the rioters (a mere rabble I will maintain) who destroyed the tea, but you in fact confiscated private property, and involved the innocent and the guilty in one common punishment. You cut off the inhabitants from all commercial intercourse whatever, and deprived them of every means of living; but what was still more extraordinarily unjust, you punished the whole province of Massachusetts Bay for a riot committed by a Boston mob. You vacated their charter; and, as if you meant at the very instep of the business to force them into measures of resistance, you declared war against all America, by subjecting every man in it to be dragged to some other colony, or, optionally, to Great Britain, to be tried by a prejudiced or packed jury, for offences committed in his own country. Those measures had the desired effect; for I never can be brought to believe but they were intended to produce what followed. So far the ends were correspondent to the means. The people of America shewed great dissatisfaction, but that did not fully answer the intentions of government. It was not dissatisfaction, but rebellion, that was sought; dissatisfaction might furnish a pretence for adding to the intolerable oppressions that those people had for a series of years groaned under; but nothing short of something in the shape of rebellion, or nearly approaching to it, could create a decent apology for slaughter, conquest

conquest and unconditional submission. America, notwithstanding all those ingenious, ministerial devices, continued loyal; nothing of resistance yet appeared, either in words or actions, unless a few angry resolves at the meetings of one or two paltry townships. The Congress met, and deprecated our resentments, and supplicated the Throne and Parliament in terms of obedience and affection. Not a word of actual resistance or independency all this time. The scene began now to open. The people of Boston were not starved; their brethren throughout America committed a crime little short of treason; they made contributions to feed and cloath them; they endeavoured to prevent them (no matter whether the persons thus relieved were guilty or innocent) from perishing with cold and hunger. A bill was therefore passed for depriving them of further relief; the merciful and humane fishery-bill. This was accompanied, or rather preceded, with the famous address, declaring Massachusetts Bay in rebellion!

Every thing was now prepared; instead of a single dragoon, ten or twelve thousand men were said to be sufficient to strike terror into every corner of America. The address was a sanction for the cutting of throats; the poor fishermen of Nantucket, a peaceable set of inoffending quakers, were thought fit objects of parliamentary resentment; in short, as the northern colonies were not to have bread, neither were they to have fish; the dreadful sentence was passed by your Lordships, in concurrence with the other two branches of the Legislature, that the four New-England provinces, in order to fill with terror the minds of the rest of their brethren, were proscribed and cut off, not only from this country, but from the rest of America, and the whole world beside. But all this did not do; the New-Englanders were resolved not to verify the address; they were determined not to be rebels; but only to prepare, should the worst happen, to be in a situation to defend themselves. Something more was still wanting, and that was obtained. Our troops were ordered to act offensively; and self-defence was stiled actual and declared rebellion. Not a word yet of independency. I shall pass over the particulars from the commencement of hostilities till the next session. Many parts of America were still friendly to us; most of them continued loyal. Now to devise a measure which would unite them as one man against this country, was the grand *desideratum*. A measure was luckily discovered, and that was the ever memorable and celebrated

celebrated prohibitory act. Ministers still entertained some doubts ; they were fearful that Parliament might refuse to go the whole length they wished them. What did they do ? They proclaimed it loudly every where, that commissioners were to be appointed to negotiate ; a powerful fleet, and 70,000 men were to accompany them ; and the colonies were to be left to the option of returning to their former state of obedience, or of being compelled to it. What was the consequence of all those flattering promises ? The prohibitory act was passed ; but not a single power vested in the commissioners but that of pardoning. Lord Howe and his brother were the persons named in the commission. The speech answered its end. The noble Lord was kept in Great-Britain, and could not proceed, for want of instructions, till five months after the act was passed, and almost eight after the speech. But when his Lordship received his instructions, what was the authority vested in him and his brother, the other commissioner ? Just so much efficient real power as is vested in any other commander in chief, that of receiving submissions, and granting pardons. The King could not do it, though he were inclined ; his hands were tied up by the act. Without a power from Parliament, or without the concurrence of Parliament, it is most certain the King could not treat with the Provincials. This was known. The point in dispute was the nature and extent of parliamentary supremacy. The pretence, therefore, for the clause introduced into the act for appointing commissioners, was to authorise the Crown to treat ; but, in fact, when the whole scene came to be fully opened, it plainly appeared that the King, by the act, was exactly, nay, literally, empowered to do what he could have done without it ; that is, to receive submissions, and grant pardons ; but as to the main points, relative to the claims of Parliament over America, they were left to rest precisely where they stood before the speech was delivered or the act passed. Accommodation had been hitherto the ministerial language, but now it was made to give way to unconditional submission. It was, therefore, my Lords, this prohibitory act that induced the Congress to declare America independent. I trust not to what this old man said, or that old man wrote ; I pay no attention to the silly predictions, or partial speculations of any man. - I rely upon facts, and facts alone. [Alluding to Lord Mansfield's quotations from Montcalm's Letters, the writings of Sir Joshua Gee, and others.] I contend, that America never entertained

entertained any intention of rendering themselves independent of this country, till they were forced into it by a series of the most unjust, arbitrary, and cruel measures; till the prohibitory act, and the sham commission sent out with it, told them, in so many words, You must suffer all the calamities of war and conquest, or submit to unconditional submission.

The noble Earl in office [Lord Suffolk] says that America aimed at independence from the beginning; and has insisted that their designs were pointed out by those on the other side of the House, so early as the year 1774; and as a further proof that they were, and are of that opinion, he speaks of the interview between Lord Howe and the Congress delegates, on Staten Island. I have given my reasons already why I think his Lordship is mistaken as to his general assertion; as to the fact of the delegates refusing to treat with the commissioners, unless we acknowledged American independency, they acted just as I would have done; for, knowing the nature of his Lordship's commission, sooner than treat upon such disgraceful terms, I should, as an American, meet them, and refuse to negotiate, unless Great Britain consented to acknowledge my country independent. The delegates knew the powers vested in the commissioners to be such as I have described them, those of unconditional submission, and treated them, very properly, with the contempt they deserved.

My Lords, this is the third campaign recommended from the throne, all promising success. For my part, I no more trust to the present ministerial assurances, than to any of the former. This war has already cost this nation at least fifteen millions, and if persisted in, is likely to cost twice that sum. The only probable means of preventing the perils with which we are surrounded, is by the present amendment, or something dictated in the same spirit. Whether America would receive such a proposition, in the manner every Englishman would wish, I do not pretend to say; but I confess, if I was an American, I should be unwilling to trust to any terms from those who had all along betrayed so pernicious and malignant a spirit. If I did, however, I would take care not to leave it in their power again to deceive me. And before I sit down, my Lords, as a faithful memorial of my sentiments, I will acknowledge very fairly, if ministry and the nation are determined to prosecute the present unnatural war to the issue of this alternative, Shall America be subdued, or shall

she render herself independent? I should gladly embrace the latter; I should wish to see America independent, rather than enslaved; because I am already fully convinced of the temper, views, and ultimate objects of this war: which, if it should prove successful, on the system it is now maintained, would most certainly effect at length here, what it professes already to effect in America. His Lordship treated several other matters in detail, on which he had delivered former opinions.

Lord Weymouth.

The Lord Viscount *Weymouth*. My Lords, the noble Earl who moved the amendment, supports it entirely on the present disposition of the French court. His Lordship tells you, that the Americans are displeased with the conduct of France, and therefore now is the time to treat with them. This, my Lords, is a very different language from what his Lordship held the last day I had the honour to hear him on the present subject. He then said, that America and France were upon the best terms; he now tells you, that France is backward, and America out of temper. I believe his Lordship is very right. I have every reason for believing the noble Lord; and that, among several others, is one very strong motive to prevent me from agreeing to the proposed amendment.

The noble Duke in the blue ribbon, has endeavoured to convict me, and such of his Majesty's ministers as may entertain similar sentiments with me, of an inconsistency, should I dissent from the motion now before the House. He has imputed certain expressions to me, which I by no means recollect; but allowing them to be exactly as the noble Duke has stated them, I do not think it quite parliamentary to refer to any thing which dropped in a former debate. I shall not, however, deny every advantage which his Grace wishes to derive from what he has presumed I said. I think administration now, as well as then, though they entirely coincided with me, are perfectly consistent in resolving to give a negative to the amendment. What I said, I refer to his Grace's account of it; it only imported this, that no proposition for specific terms should be admitted till the event of the then ensuing campaign was first known. Is that condition yet determined one way or other? Surely not. The issue of the campaign is not yet determined; at least, not yet known to us; so that admitting the argument to have all the weight the noble Duke would wish to give it, I see no ground for charging me with inconsistency, in retaining my former opinion till the event

event shall happen, which may, or may not, be supposed to operate on it at some future day.

There is another strong objection, my Lords, against the reasons assigned by the noble Earl in support of his amendment. He says, France will take a public and decided part against us, if we do not embrace the present opportunity which presents itself. France has done a great deal, but America desires more. She is displeased with the former, because France refuses to do all she asks: now to my apprehension, this should be a further motive for us to act with redoubled vigour. It is the very crisis in which we should endeavour to press America. She is deserted, according to the language of the noble Earl: this appears to me the time, therefore, most likely to compel her to return to her former state of constitutional obedience. Take even the argument on the other side, that the last campaign proved unsuccessful, of which I have every reason, but a direct knowledge, to believe the contrary; the noble Earl, or his friends, will hardly, I presume, contend, that if that should happen to be the case, the present proposed amendment would be seasonable. If America should prove victorious, would she negotiate? Certainly not.—For these reasons, my Lords, I am totally for disagreeing with the noble Earl's motion. America must feel the strength and power of this country, before she will ever listen to reasonable terms of accommodation. Of this, I trust, we shall shortly have an account. Whenever that period shall arrive, will be the season, and the only season, in which, upon every principle of honour, policy, and national dignity, your Lordships will have an opportunity to display at once your wisdom and humanity.

The Bishop of *Peterborough*.—My Lords, the noble Viscount's argument gives me an opportunity of contracting the present question within a very narrow compass. It seems, indeed, to be the general language of administration. Their arguments go fairly to this, that no time is proper for negotiating with America. Either this campaign has proved already successful, or it has not: if it has not, there is not one of your Lordships, who, I believe, ever expects that coercive measures will succeed; such an idea would be absurd. If so then, nothing would be hazarded, were the present motion agreed to: if, on the other hand, the campaign has proved successful, of which administration seem so confident, this is the very time which entirely corresponds with their sentiments. Supposing we have been victorious

in America; the provincial troops have of course been defeated, broken, and scattered, perhaps, entirely ruined: is not this then the very previous condition which ministers require? The event of this campaign is most certainly by this time finally determined; consequently, before any resolution taken here could even be matured, we shall be fully acquainted with all the military events that have happened. At the time the last proposition was made by the noble Earl, it was objected by administration, that the campaign was then already begun, therefore it was now too late: now it is completely over, that objection no longer exists. On the whole, my Lords, if victory has declared in our favour, I think it more wise, in a political light, and more consonant to the temper and disposition of Englishmen, to permit their natural feelings, those of moderation and humanity, to take place of resentment, persecution, and revenge.

The Duke
Richmond.

The Duke of *Richmond*. My Lords, I have never offered my sentiments to your Lordships on a subject of greater difficulty than that of the present debate; for, I confess, I see little prospect of a happy issue from the dangerous situation in which we are involved.

My apprehensions do not go merely to the dangers arising from the present war (though they are, God knows, great enough) but to our existence as a free people.

Our government has, perhaps, never been entirely settled as it ought to be; but ever since the Revolution, when it received the greatest degree of perfection it has ever had, it has been by degrees departing from those constitutional rights, which belong not only to Englishmen, but to men, and to the principles of which all governments must from time to time revert, if they mean to continue free. In proportion as they depart from them, they become usurpations.

In a book written on the laws of England, by a learned judge now on the bench, it has been observed, that since the period I have mentioned, although the stern command of prerogative has given way, it has only yielded to the milder voice of influence, which acts with such persuasive and prevailing energy, as to make ample amends for the loss of external prerogative.

This influence is, I speak literally, daily increasing. Its effects become daily more apparent; and they are such as totally annihilate every check which the constitution has framed to prevent the arbitrary will of the Sovereign from be-

becoming the sole power of the state : I do not mean to say, that the free agency of Parliament has been formally abrogated ; but if, by the means of corrupt influence, it is indirectly destroyed or attempted, the attack is the more dangerous, from being in some degree concealed ; and is the more sure of success, as it operates by slow and almost imperceptible degrees, till it gets so far a head, as to secure its continuance, and even enlargement, by its own means.

It has been justly observed by the noble Earl who moved for the amendment, that these are not times for flattery, but such as call upon every man to speak out ; and I am sorry to say, that the extension of this influence seems to have been the only system which wicked ministers have advised his Majesty to pursue during the whole of his reign. It has been studiously followed in every department, and in every corner of the empire. The present contest in America originated from this source. The establishment of taxes there, which has been so fatally and obstinately pursued, never afforded any rational hope of producing such a revenue as could really ease the burthens of this country ; but the increase of influence it gave by the disposal of employments in the collection, was sufficient to make it be adhered to with that stubbornness, which characterises every part of the present system.

It may not be a proper time on this day to enter upon so large a field as this subject opens to our view ; I shall therefore confine myself to that part which concerns America.

I cannot agree with a noble Earl, who thinks America of no use to us. The safety of this island can never be trusted to a land force alone. We can never keep up such an army, as to want no fleet. The navy is the national defence of Great-Britain, and to be a secure defence, must be superior to whatever must be brought against it. To support that navy, we must have commerce ; and possessions in distant parts of the globe, are the soul of that commerce. America of itself answered every purpose we could wish as to trade ; and besides, produces those naval stores, without which we can have no fleet. Possibly those stores may be procured from other parts, and other branches of trade may be opened with other nations ; but resources that depend on foreigners, may be cut off at the instant they are most wanted. Possessing America, we were at all times certain of supplies for our navy ; and though we should be at war with all Europe, our trade might still be carried on. Such
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are the advantages America was of to England ; but I think, that great as these advantages are, the happiness of Englishmen settled there, and our acting according to the rules of justice, are objects of still greater importance.

From the first commencement of our disputes, I have uniformly been of opinion, that if our government was founded in justice and equality ; if we treated Englishmen in America like Englishmen in Great Britain, we should preserve that happy union, founded in affection, which alone can be either valuable or permanent, at the distance we lie at from each other ; but that if we attempted a superiority, which the inhabitants of one part of the globe can have no right to assume over those of another part ; if for certain advantages, which local circumstances might enable us to exact, we did not make an equitable compensation in other respects, I thought we should abandon the paths of justice, which are the foundation of all government, and become unworthy of the empire for which we contend.

The only honest end of all government, is the happiness of the whole community. It was never instituted for the advantage of one part of the nation, to the prejudice of another part, but for the mutual and equal benefit of all. The test of its being kept to this object, is the effect it produces. If the general mass of the people are happy and content, the government is good and well administered ; but if any considerable part of the nation suffers and complains, that government is oppressive, and ought not to be endured. Had we observed these principles ; had we considered Americans as possessing the same rights we claim ; had we allowed them to be taxed only by their representatives, as we claim a right to be taxed only by ours ; had we considered the protection we afforded them, as in fact it was, amply repaid by our monopoly of their trade, we might have preserved that young, but mighty empire, for many, many years : even for a longer time than the comparative numbers of the people, or the state of the respective countries, could entitle us to expect ; for whole provinces do not readily alter a government under which they live happily ; and habits of long standing, are not easily shaken off.

But the proof of our government having been bad, arises, as I said, from the effects it has produced. Long before the natural time when a separation must have taken place, it has been forced by oppression. The abettors of that oppression, sensible that so great an effect would speak for itself, and condemn

demn their conduct, endeavoured to throw the blame on a few factious leaders in America, who, by daringly assuming power, have, as they say, kept a whole continent in subjection to their lawless will, contrary to the inclination and interest of the general mass of the people. Incredible as this story was, it was listened to; and the assurances which ministers gave, that the moment protection was afforded in America, to the numerous well-wishers to British government, they would shew themselves, and crush the prevailing faction, were believed.

For three years we have been deluded with these imaginations. In the first year, upwards of ten thousand regular troops, in the single town of Boston, sufficient, one would think, to protect the people against a faction, served only to irritate.

But this first experiment, far from opening our eyes, failed, as we are told, only because the force was not sufficient; and therefore, for the two last years, what with the addition of German mercenaries and savages, we have had an army little short of sixty thousand men, and a fleet of an hundred ships of war, in America. But still, even this force has been too weak to protect the people against a faction.

Thirteen whole provinces have thrown off their dependency on this country; and all the efforts of our arms, exerted to the utmost, supplied with most extravagant loans of money, unincumbered by any foreign war, have for two years proved ineffectual to compel any one of them to return to that government, to which ministers tell us they are so much attached. It is curious to look back to the operations of these three campaigns. In the first, we were beat at Lexington, very dearly earned a post at Bunker's-hill, could but barely keep possession of Boston, and nearly lost Quebec. In the second, we were obliged to abandon Boston, and got only New-York, and a small district, in its stead. The moment we attempted to extend our cantonments into the Jerseys, we were driven back with loss, and the attempt from Canada on Ticonderoga proved fruitless. In the third year, after another attempt, equally without success, in the Jerseys, Sir William Howe, unable to conduct our great army from New-York to Philadelphia, a distance short of an hundred miles, is obliged to seek another avenue to it. That by the river Delaware, on which it stands, is also found impracticable, and our forces are obliged to put again to sea, at a great risk, at a certain loss from bad climate, and to go round by the Capes of Virginia
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and Chesapeak Bay. However, we are told at last, that it is guessed we have got possession of Philadelphia. That is a second town for the third year of the war. How these two towns can be kept, what communication can be maintained between them, how our armies can subsist, what advantages we are to derive from these possessions, ministers leave us totally in the dark about.

The attempt renewed from Canada, seems, from the accounts we have seen, to foretell greater disasters. Mr. Burgoyne himself tells you, that although he has got fifty teams of oxen in the country, he can merely supply his army from day to day; and had on the 15th of August, after three weeks wholly employed in procuring provisions, only got four days in advance. His attempt to surprise a magazine at Bennington, ends in the surprise of the troops he sent there, and in the total loss of the detachment. The corps he sends to support this detachment is also obliged to retreat, with the loss of two pieces of cannon. Mr. St. Leger's attempt on Fort Stanwix proves equally vain, notwithstanding the massacre of four hundred English Americans by the Savages. Mr. Burgoyne remains near Saratoga for five weeks; and on the 19th of September, after an action which costs him five hundred men, and is disputed from noon till dark by the cowardly Americans under Mr. Arnold, they retreat only half a league to their camp. Various are the reports of what has happened since. That he should have been totally cut off, is not improbable, from his own account; for the best troops cannot subsist without provisions. But if he has succeeded, and got to New-York, what has he effected? He has marched from Canada, through the province of New-York, with the loss of several thousand men, and with infinite expence, labour, and fatigue. But he cannot keep possession of the country he has gone through, and he might have arrived at New-York two years ago, by sea, from England, without any loss at all.

I must here mention a subject that has surprised me. Mr. Burgoyne finds leisure to write an elaborate letter, but cannot find time to send that list of the unfortunate who have fallen in the different actions, which would relieve the anxiety of the parent, and the friends of the survivors. I will cast no blame on any man without hearing him; but it behoves ministers to enquire, why this satisfaction, which individuals have a right to expect, was not complied with? The events

I have mentioned, are the principal operations of the three campaigns.

I do not mean to throw any blame on the conduct of the officers who have commanded. They may have acted with capacity, or otherwise. No man can form any judgment from the little, or rather no information, Parliament has had. But supposing they have done their duty, it must now appear clearly to every one, what has been long foretold here, that from the nature of the country, it is not possible for Great-Britain to compel America to submission. We have had the experience of three years trial; the two last, with the utmost exertion of our force. How many more is it expected we are to attempt? The King told us in his speech last year, that notwithstanding the successes (which were then boasted of) and the prospect of their bringing the war to a speedy conclusion, we must prepare for another campaign. That other campaign has been tried, and we are now in a worse condition than we were before it began. Our army is greatly diminished by the sword and by sickness. The ransacking of Germany, and our jails, cannot even recruit the numbers that are lost. Our troops relax in discipline, while theirs acquire military knowledge and service. Our situation becomes precarious, while their government acquires consistency. We have no successes to boast of this year. What prospect then have we of greater in future? Before a trial had been made, there might be some shadow for expectation: but now that it has thrice failed, I would fain know what can induce us to risk a fourth experiment, with diminished means of success?

But, my Lords, I wish you to turn your eyes to another part of this business. I mean the dreadful inhumanity with which this war is carried on; shocking beyond description to every feeling of a Christian, or of a man! When we have heard of the cruelties of other civil wars, we used to rejoice not to have the age, or the country we lived in, the scene of such misery; but to see England, formerly famous for humanity, coolly suffering the worst of barbarities to be exercised on her fellow subjects, and appearing untouched by the woes she causes, because they are at a distance, and she does not experience any of them herself, must be truly mortifying to any man who is in the smallest degree possessed of national pride.

If ever any nation shall deserve to draw down on her the Divine vengeance for her sins, it will be this, if she suffers

such horrid war to continue. To me, who think we have been originally in the wrong, it appears doubly unpardonable : but even supposing we were right, it is certainly we who produce the war ; and I do not think any consideration of dominion or empire sufficient to warrant the sacrifices we make to it. The best rights may be bought too dear, nor are all means justifiable in attaining them. To arm negro slaves against their masters, to arm savages, who we know will put their prisoners to death in the most cruel tortures, and literally eat them, is not, in my opinion, a fair war against fellow subjects. When we are unfortunately obliged to war with other nations, mutual esteem soon takes place between the troops, and reciprocal humanity prevails, which greatly alleviates the too many miseries of all wars ; but in the present contest, every mean artifice has been used to encourage the soldiery to act with asperity, or alacrity, as it is now the fashion to call it.

Instead of taking prudent measures to restrain the military within the closest bounds of discipline, instead of making them sensible, that as they were to act against their countrymen, every possible means of saving their lives, and sparing their property, should be used, and every degree of compassion shewn to men who only erred from mistaken notions, and were still to be considered as subjects of the same King, they have been encouraged by authority, to look upon their opponents as cowards, traitors, rebels, and every thing that is vile ; and their property has been, by law, declared lawful plunder. The natural effects have followed. A military thus let loose, or rather thus set on, have given vent to that barbarity which degrades human nature, and a total want of discipline and good order is said to prevail.

The noble Lord who has moved the address, and who has served in America, has given a very different account. I shall always desire to have authentic information. I do not look on an expression dropped in a speech to be such. Will the noble Lord submit to a regular examination, and answer such questions as I can put to him on this matter ? Or will ministry allow me to call to the bar those who upon their oath must there give official information ? The accounts I have heard are, that want of order universally prevails in the armies in America ; that rapine and desolation mark their progress.

I am not surprised that Indians and foreigners, who can have no other business in our disputes, but the money they

are hired for, should make plunder their only object ; nor is it to be wondered at, that men who sell their own lives, and their arms, to take away that of others, in a quarrel they cannot understand, should practise that cruelty and barbarity, which men who have laid aside all principle are liable to : but that Englishmen should also be made engines of such oppression, is of the most dangerous consequences.

My Lords, I dread the return of that army to these kingdoms. Formerly the rights of the subject were protected by the laws, and respected by the army ; property was secure ; and if the life of an Englishman was taken away, the whole country called for vengeance ; foul murder was the name it used to bear, and delinquents were certain of meeting with just and ignominious punishment. But now our soldiery have learnt a different lesson ; instead of merely supporting the civil authority, and being strictly restrained from every act of violence beyond repelling force by force, they have been suffered to ransack houses, to maim women, to commit every kind of outrage. I saw an account of a soldier having cut off a woman's fingers to get at her rings ; and this was mentioned only as one among the numberless instances of cruelty. When an army like this returns, it may totally subvert the remains of freedom. If disbanded, they will become a lawless banditti ; if kept together, a most dangerous weapon in the hands of ministers, who have shewn so little regard to the rights of freemen. This army is ready practised in spilling the blood of Englishmen. It is only calling obnoxious men rebels, and your army is ready to treat them as they have done the Americans, or perhaps without that ceremony.

My Lords, I would not be thought to speak ill of a profession I belong to, unless it deserves it. I feel in myself that *esprit de corps*, which makes me jealous of its honour ; but I belong by much stronger ties to the nation, than to the army ; and I hope the *esprit de corps* of an Englishman is still more prevalent in me. While the army was filled with men of property, while their sentiments were, that the first duty of a soldier was to his country, such an army was no way dangerous ; but when the notion, that a soldier must have no choice, must not reason, must implicitly obey, was carried from the camp to matters of state, and is extended so far, as that officers are looked upon as obliged to fight against their countrymen, even though they think them resisting in a right cause ; I say, my Lords, I think such an army deserves no

respect, and becomes that mere, venal engine of power, which has subverted so many free constitutions. I shall ever revere the noble Earl in this House, and some other officers, who rather chose to give up their profession, than serve upon such terms, and contrary to the dictates of their own feelings; and I shall ever look with distrust on those, who advised his Majesty to suffer such conscientious men to retire from the service, and thereby persuaded the King to discountenance those sentiments, which alone can make an army not dangerous to the state. My Lords, it is from knowing something of soldiers, that I know the necessity of discipline; and I speak a true military language, and am a real friend to the army, when I recommend enforcing it, by the only effectual means it can be enforced, that is, by encouraging in the officers a respect for the law, and for the liberties of the people. But I am told, that other notions prevail in our American armies: that their marches are traced by the desolation of those we still call Englishmen and subjects. This, my Lords, among many others, seems a fit subject for enquiry.

Can we too soon put a stop to such a scene of carnage? My Lords, I know that what I am going to say is not fashionable language, but a time will come, when every one of us must account to God for his actions, and how can we justify causing so many innocent lives to be lost? lives of our fellow-subjects which we are bound to protect. I scarcely dare call on the right reverend bench of bishops even for a christian purpose, to assist in stopping the effusion of christian protestant blood. The very calling on bishops creates a laugh, and they join in it themselves. But it ill becomes them. They should consider, that they sit here for their temporal concerns only, as a secondary object; their first duty is, by example, mildness, and persuasion, to soften our deliberations; and particularly in cases which so immediately affect the object of all religion, and the morality of our actions, and are of such extent as that now under deliberation. It becomes a mere joke, if they are to retire from the House when a poor criminal is at your bar, because they cannot bring themselves to vote in a case of blood, and yet can advise the most sanguinary measures, which involve the lives of thousands. But, my Lords, as I said before, I know that arguments drawn from religion or humanity are of little avail, I shall therefore return to those of policy which every day speak more and more forcibly.

If the conquest of America by force becomes now evidently impossible, let us consider what we are risking in this idle and wicked pursuit. The speech gives us reason to think, that his Majesty

Majesty does not trust to the assurances he receives from foreign powers for the preservation of peace. That their armaments call for armaments on our side. Let us then reflect on the condition we are in for that European war, against which we are called upon to prepare. Our chief army, that of our allies, and the greatest part of our frigates, are in America. Will not the first hostilities here oblige us to recall them, and consequently to abandon America? Can those armies come away without loss? Are we sure that they will arrive in time to save this country? Do not they run the risk of being intercepted? In the mean time, let us see what we have to trust to at home. The noble Lord at the head of the Admiralty says, we have a good fleet, well manned, superior to what France and Spain can unitedly bring against us. He is responsible for what he has asserted; I wish it may prove so. But are we sure, that in case of a rupture, a superior fleet can secure us from a foreign invasion of this island, across a channel which, from numberless ports, may be traversed in a winter's night? We know that almost as often as foreign forces have seriously attempted to land they have succeeded; and what is our defence here, if such an event should take place? I remember, that at the beginning of the last war, the apprehensions of an invasion were so great, that although almost all our army and navy was at home, we sent over for twelve thousand Hanoverians and Hessians to protect us. Perhaps that was needless and excessive caution; but we err too much the other way, when we trust to the very small force now in England or Ireland; and however useful the militia may be, I hope we shall never rely on them solely for our defence, especially officered as they now are, by men without that qualification which is the very essence of the constitution. Of all nations upon the earth, I believe England would be the soonest and easiest conquered, if a considerable foreign force was to land at this moment, while our army is out of the kingdom, for our people are totally unused to arms, the country is without fortresses or strong posts, and our government without confidence.

The state of our finance appears to me equally critical. It is a subject of too much detail to enter into on a day not peculiarly appropriated for that purpose; but it is sufficient to say, that we are far, very far exceeding that debt which, at the end of the last war, was thought would crush us, and was then sufficient to compel us to peace. In addition to that debt, and its present vast increase, we have, I fear, lost America, and the resources it furnished.

His

His Majesty in his speech says, " he shall ever be watchful of an opportunity of putting a stop to the effusion of the blood of his subjects," but a noble Lord has said, that the proposal for peace must not come from Parliament. But, my Lords, I must contend, that there are no means at present existing, for the King to set on foot any treaty for peace. The grounds of the present contest are the pretended rights of Parliament. The King cannot of his own authority enter into any treaty for relinquishing the most insignificant of them. The act under which commissioners are appointed, authorises them merely to receive submission, and on that condition to grant pardons; and therefore, if both sides were ever so much inclined to treat, that is, reciprocally to yield up claims, there is no legal method open for such a treaty. Even the disposition of Parliament is uncertain. At one time, we do not mean taxation; at another, revenue is not our object: one minister requires only an admission of the supremacy of Parliament, another unconditional submission.

A secretary of state has told us, that the negotiation opened on Staten Island, broke up as soon as begun, because the American deputies required the admission of their independency as a *sine qua non*. I believe the want of power in our commissioners to treat, was the true cause of that business's proceeding no farther; and although I am persuaded the noble Lord did not mean to deceive the House, I have reason to believe the action was not as he has stated. Let the noble Lord lay before the House the account which was received of it, that is, the regular method of parliamentary information. I wish Parliament would remedy the real difficulty which at present subsists, and authorise commissioners really to treat.

In regard to the amendment proposed, my only objection to it is, that it seems to convey to the world an idea that we are still in time to recover those invaluable provinces to Great Britain. I much fear it is elapsed. I do not say that it is impossible to reunite America with England in some shape or other, or that it should not be attempted; but I would not have the people of this country raised to an expectation, in which I fear they would be deceived. I will not despair, because I am convinced that an equitable and fair union would be most advantageous to the inhabitants of both countries; but after the exasperated state to which things have been driven between the army and the Americans, I doubt they will never be reconciled to hold any dependance on a nation, from which they have received such unpardonable injuries.

A secretary

A secretary of state has said, that he was glad to hear the noble Earl, who moved the amendment, declare, that he was still for the dependency of America, and that he understood all who supported the noble Lord agreed in the same sentiment. I know not from what premises such a conclusion is drawn; but lest silence should be deemed acquiescence, I must for once declare, that although I much wish to see the Americans return of their own accord to a reasonable degree of dependency on this country, yet I will not say, that any alliance with them as free states ought to be rejected. If we can obtain the benefits of their commerce in return for our protection, it is all that is essential, still, less might be beneficial. I would treat, and get what I could with their consent; but I would sooner give up every claim to America, than continue an unjust and cruel civil war. I am happy to find the noble Earl who moved the amendment, has in some respect deviated from the bill he proposed three years ago; and that he would now give America security against the existence of a military force there without their consent. Indeed, the sad experience they have had, makes such a security the more called for, as without it all other provisions would be useless.

The Earl of *Chatbam*. I approve in part of what the noble Duke says; but I by no means think the enquiry ought to be set on foot intirely for the sake of the right reverend bench. This House, the Parliament, the nation at large, ought to have the opportunity to clear themselves of that heavy load of black and bloody-imputed guilt, under which they suffer. I pledge myself to set on foot an enquiry into the state of the nation; and, as one of its leading objects, I shall endeavour to discover who were the authors and advisers of letting loose the blood-hounds and hell-hounds, the savages of America, upon our brethren there. It shall be a kind of a *lustrum*, to cleanse and purify the nation from the odious guilt of those horrid barbarities. You, my Lords, the bishops, I trust, will assist in this pious work; and you, my learned Lords, who are both the constitutional guardians and interpreters of the laws, [Addressing himself to the Lords Chancellor and Mansfield] will not, I trust, be wanting. I shall implore the aid of the lawn sleeves and ermine on that occasion. I hope to stamp a proper mark both upon the illegality and inhumanity of this bloody measure; we shall then be assisted by the lawn and ermine, by innocence and

and wisdom : we shall have the pious assistance of that sacred bench ; and the no less constitutional and efficacious aid of the sages of the law ; of our right reverend and most learned brethren on both sides of the House, in dragging the author or authors of this Satanic measure, into broad day-light, and inflicting on him or them, the most exemplary and condign punishment.

Ld. Suffolk.

Earl of Suffolk. The noble Earl has expressed himself in very vehement terms indeed. I wish he had felt as powerfully for the many unheard-of cruelties exercised by those very people over their own brethren, for no other crime but merely refusing to join in rebellion. I insist on what I first said, that if the Indians had not been employed by us, they would have been employed against us. The Americans sent their emissaries amongst them ; and while his Lordship expressed so much horror at the cruelty of the savages, I am surprized that he did not bestow one thought on the much more unnatural and bloody conduct of our rebellious subjects, who, to the guilt of committing similar cruelties to those he has enumerated, on Englishmen, and their own countrymen, have added the crimes of treason, perfidy, ingratitude, and rebellion. The alliance of the Indians is to be justified upon two grounds ; one, as necessary in *fact* ; the other, as allowable upon *principle* ; for first, the Americans endeavoured to raise them on their side, and would gain them, if we did not ; and next, it was allowable, and perfectly justifiable, to use every means that God and nature had put into our hands.*

The Earl of Chatham.

Earl of Chatham said, the conclusion of Lord Suffolk's speech, contained a most preposterous and enormous principle ; and added, that such notions standing so near the throne, might pollute the ear of Majesty. He affirmed, that such an alliance was against the constitution ; he believed against law.

* The Duke of Grafton and Lord Shelburne denied the fact ; asserting that the Americans disclaimed the assistance, and endeavoured to preserve the neutrality of the Indians.

Lord *Townshend*. The case was this : Mons^r. Montcalm employed them early in the war, which put us under the necessity of doing the same. I do not pretend to say for what purposes the noble Lord, who spoke last, might have employed them, at Montreal, or in the interior country ; but they were never employed in the army I commanded, but in assisting the troops in the laborious services necessarily attending an army. They were never under military command, nor arrayed for military purposes.

Earl *Gower* said, he wondered that they who had the conduct of last war, should forget the means by which it was conducted, and should now condemn the measures they had formerly authorised ; and added, that Indians had been employed on our side in the last war in America ; that presents had been given, and treaties made with them.

The Earl of *Chatham* answered, he did not forget ; that in his private knowledge he well knew they had been employed, for the necessary purpose of war, as he presumed, and not to be stretched far and wide for murder and massacre, and all their concomitant horrors : that if the previous use of them by the French, our natural enemy, and the inevitable necessities of our army, obliged us to employ them in military purposes to scour the country or cover our flanks, the general who commanded, and who acted from those necessities, would account for them : that he now appealed to him in that house, and called upon him to declare, whether the administration in that war had ever directed or authorised the use of the savages ? Whether ever a line from office had given that measure an official or public sanction ?---He reminded the noble Earl [*Gower*] that his Lordship was not then in office ; but that he himself, who had then the honour to be secretary of state, assured their Lordships administration never had justified or authorized that measure.

Lord *Amberst* confessed, that they had been employed last war in America ; that they had been employed by both sides ; and that perhaps both sides might have been in the wrong ; but did not impute any sanction or knowledge of their use to administration.

The House divided, for the amendment 28 ; against it 34.

“ DISSENT,

“ Because this address is a repetition of, or rather an improvement on, the fulsome adulation offered, and of the

blind engagements entered into on former occasions by this House, relative to this unhappy civil war."

EFFINGHAM.
RICHMOND.

November 21.

The address presented.

The humble address of the Right Honourable the Lords Spiritual and Temporal, in Parliament assembled.

Most gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to return your Majesty our humble thanks for your most gracious speech from the throne.

Permit us, Sir, to offer our congratulations to your Majesty on the increase of your domestic happiness by the birth of another princess, and the recovery of your royal consort; who is most highly endeared to this nation, as well by her Majesty's eminent and amiable virtues, as by every new pledge of security to our religious and civil liberties.

We are duly sensible of your Majesty's goodness in recurring to the advice and support of your Parliament in the present conjuncture, when the rebellion in North America still continues; and we return your Majesty our unfeigned thanks for having communicated to us the just confidence which your Majesty reposes in the zeal, intrepidity, and exertions of your Majesty's officers and forces both by sea and land; but at the same time that we entertain a well-founded hope of the important successes, which, under the blessing of Providence, may be expected, we cannot but applaud your Majesty's unwearied vigilance and wisdom in recommending to us to prepare, at all events, for such further operations as the contingencies of the war and the obstinacy of the rebels may render expedient: we are therefore gratefully sensible of your Majesty's consideration in pursuing the measures necessary to keep your land forces complete to the present establishment; and we owe it both to your Majesty and to ourselves to say, that we shall cheerfully concur in enabling your Majesty to make good such new engagements with foreign powers, for the augmentation of the auxiliary troops, as the weighty motives your Majesty has stated to us may induce you to contract.

It is with great satisfaction we learn that your Majesty receives repeated assurances from foreign powers of their pacific dispositions; and with hearts full of gratitude and admiration, we acknowledge your Majesty's humane, steady, and dignified conduct, which is equally well calculated to demonstrate to the world, your Majesty's wish to preserve the general tranquillity of Europe, and your determination to maintain the honour of the crown, the security of these kingdoms, and the commercial interests of your subjects.

We thankfully receive your Majesty's declaration of perseverance in the measures now pursuing, for the re-establishment of a just and constitutional subordination through the several parts of your Majesty's dominions; and we beg leave to assure your Majesty, that we participate the desire which at the same time animates your royal breast, to see a proper opportunity for putting an end to the effusion of blood, and the various calamities inseparable from a state of war.

The constant tenor of your Majesty's reign has shewn, that your whole attention is employed for the safety and happiness of all your people; and whenever our unhappy fellow subjects in North America shall duly return to their allegiance, we shall readily concur in every wise and salutary measure which can contribute to restore confidence and order, and fix the mutual welfare of Great Britain and her colonies on the most solid and permanent foundations.

His Majesty's answer.

My Lords,

I thank you for this very loyal and dutiful address, as well as for your congratulations on the increase of my family, and for the regard you express, on this occasion, for the Queen.

The assurances you give me, of your firm and temperate sentiments, respecting the measures in which we are engaged, are highly agreeable to me; and I persuade myself, that salutary effects must be the natural result of deliberation, conducted on such principles. You will ever find, that the favourite wish of my heart, is to promote, and effectuate, the common happiness and welfare of all my dominions.

Adjourned to the 27th.

November 27.

No debate.

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Novem-

November 28.

The Duke
of Rich-
mond.

The Duke of *Richmond* moved, that an address be presented to his Majesty, that he will be pleased to give orders, that the proper officer do lay before this House the last weekly returns received from the commanders in chief, or other proper officers commanding at the several ports of Portsmouth, Plymouth, and Chatham; together with the last returns from the several ports in Great Britain and Ireland. As the Duke was explaining the grounds of his motion, he was interrupted by Lord Suffolk, who whispered him. His Grace proceeded. He said, so the papers now moved for, were obtained, it was of very little consequence to him, whether they came through the official medium of the hands of the secretary of state, or by an address. He assured the House he sought no secrets of state; he only wished barely to get as much information, as the motion imported, and no more; the last weekly returns. But while he conceded as to the mode, he did not mean to relinquish the right, according to times and circumstances, of calling for, and having the most ample, satisfactory, and detailed information. The present was little more than mere matter of form; it was the language of administration in the other House, that they wished for nothing so much, as the most full and ample detail; it was the best security for the continuance of the pacific disposition of the House of Bourbon. [His Grace alluded to what fell from Sir Hugh Palliser, Mr. Buller, and Lord Mulgrave, in the committee of supply on Wednesday.]

Earl of
Sandwich.

Earl of *Sandwich* replied, that he would at all times be ready to sacrifice his own personal character to popular opinion, when the safety of the nation required. On that ground, when improper communications from the King's servants were looked for, tho' the withholding of them, might carry an appearance of a wish to conceal, what ought not to be refused; he would always share in the censure to which such a conduct might be liable, sooner than endeavour to justify himself by revealing what in many instances, it would not be prudent and on some particular occasions, would be criminal to reveal. That was not the case, however, at present; the papers called for, were ready to be produced, on the very idea alluded to by the noble Duke. Our fleet was our best security; and was now on so respectable a footing, that while a disclosure of its real state would convince our enemies, how unequal they would be, to carry on hostile intentions against us into execution, would at the same time prove, how deplorably mis-

taken

taken those persons were, who endeavoured to misrepresent it; and of course to throw blame on them, to whom the management and care of it, was entrusted. The navy had been amply provided for; and he trusted, that the bounty of Parliament, was no less faithfully, than judiciously employed. The navy of England had at no time been on so truly formidable a footing, since the conclusion of the late war. On that ground, he was ready to meet those, who doubted of the truth of it; on that ground, he most cheerfully concurred in the motion, now made; it was no less notorious, in what a ruinous state it had been, when he came to preside at the board, he now sat. There was not at the time of the breaking out of the difference with Spain, relative to Falkland's Island, any number of ships of force, fit to proceed upon actual service. He observed, that the noble Duke laid great stress on that circumstance; and he was ready, if necessary, to prove, that the assertion was strictly true.

The Duke of *Richmond* reminded the noble Earl of what passed on the subject on a former occasion, when he alluded in debate, to his discourse with the noble Lord at the head of the finances, [Lord North] on his Lordship being appointed to preside at the admiralty board, informing him of the ruinous state of the navy, and desiring him to co-operate with him, in order to reinstate the navy, in its former situation; and adding, that he had, in consequence of that application, arising from the necessity of complying with it, received the most bountiful assistance from ministers. He should have imagined, however, his Lordship meant Parliament; but taking the expression either way, it came to the same point, that Parliament had been bountiful; that his colleagues in office, or cabinet, had co-operated with him; and that what depended on his Lordship, in his official character, had been faithfully and ably performed. He was glad to hear his Lordship so confident; for if his Lordship's confidence was well founded, it would prove a very good ground of confidence in the nation. However, all these circumstances of bounty on one side, and ability on the other, furnished the surest criterion of his Lordship's merit, or demerit. His Lordship has been amply and most bountifully assisted by Parliament, with the means of putting our navy in a truly respectable state of defence. If the present condition of the navy bears an exact proportion to the means, then has the noble Lord done his duty, and no more; if it exceeds the means, he is of course entitled to that merit which

which his Lordship has, with so much parade, so frequently arrogated to himself; whereas, if the condition of the navy holds not a proportion to the means, with which his Lordship has been so bountifully trusted, then, most certainly, instead of performing his duty, or being entitled to merit, every thing short of his duty and his means will be justly imputed to him as demerit. This is the very object I have in view. Both sides of this picture have been held forth; contradictory accounts have gone abroad, as well within as without doors; and be the issue of the proposed enquiry what it may, it is necessary that the truth should be revealed. It is the true object of my intended motion for a committee on Tuesday next, that all the papers which shall then be before the House be referred to it, in order that your Lordships, and the nation at large, may not be misled by any ill-founded information either in or out of Parliament, or by any set of men in or out of place.

Earl of
Sandwich

Earl of *Sandwich* replied, that he wished sincerely for the enquiry, in order that their Lordships and the public might be informed, on which side the truth lay. As to the circumstances alluded to by the noble Duke, they were very fairly stated. He had said, that our navy, when he came to preside in the post he now occupies, was in the most ruinous condition. He was justified in now repeating and maintaining the same assertion. It was not the fault of the able and gallant officer [Lord Hawke] whom he succeeded: it was owing, as he had often before observed, to the ships towards the close of the late war being built of green timber; and, of course, rotting on that account; which was the true cause that when the hostile appearances of Spain rendered it necessary that we should arm, we had scarcely a ship capable of actual service. He came into office in 1771; and it was not even that the fact was true, as now stated; but a general opinion had prevailed throughout the nation, that no timber was to be had, by any means, nor upon any terms. He made enquiry how this matter might be remedied; and he found, that timber could be procured, would Parliament co-operate; if money was to be had, timber could be obtained. He struck out the proposition of purchasing foreign timber. And what has been the consequence, my Lords?--“When I came into office, we had in all the King’s yards but thirteen thousand load; whereas we have now, after condemning so many ships as unfit for service, and building so many new ones, sixty-two thousand loads. We have now a three-years

ears stock of timber on hands ; the consequence of which is, not only that we can build at pleasure, but that we build with seasoned timber : and that care is taken still to supply what is worked up. Another precaution to prevent the return of the same disaster in time to come is, that not satisfied with building with seasoned timber, we take care to have none of the new ships rapidly built ; but that as the materials have been seasoned before the keel is laid, the time given to the constructing of line of battle ships is considerably encreased. On the whole, my Lords, I am extremely pleased at the motion now made ; and whatever degree of merit I may be entitled to, I shall readily forego my pretensions, if, in your Lordship's opinion, it shall appear I have done my duty."

The motion was agreed to.

The Duke of *Richmond* then moved, that the House be summoned to attend on Tuesday next (*December 2.*) as he meant to move for a Committee to consider of the state of the nation. His Grace said, he was not bound by precedent to give notice of what he intended to move ; but as the matter was of the very first importance, and would probably involve in it several great national questions, he imagined it would be the best proof he could give of his candour, to acquaint such Lords as might differ in opinion from him of the real object of his present motion, which was to obtain information, as the first and only step to enable their Lordships to judge and finally decide on the most prudent, wise, and salutary measures for averting those evils, with which this country is at present threatened.

Agreed to.

Adjourned to December 2.

December 2.

Duke of *Richmond*. My Lords, I am happy to have given notice on Friday last, of the motion with which I intended to trouble your Lordships to-day ; because it proves my wish that the state of the nation might be considered, independent of any events that might befall our arms.

I have on a former occasion said, that whatever those events might be, they must equally contribute to make us desire an end of the present ruinous war. Should the most brilliant successes attend us, should American resistance be annihilated, we must still be sorry to see Englishmen under the edge of the sword, and governed by a military power. But no such event is possible. Should disgrace therefore take place, it would only confirm what has been so often foretold here, that

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a reduction of America by force of arms is impossible. Or should the operations be chequered by failures and undecisive successes, alternately, our affairs will then be in the worst condition, as we shall be tempted to further trials, which will exhaust us still more, and from the nature of things cannot prosper in the present undertaking. I am told that news is arrived. Till it is made public, I cannot comment upon it. But be it good, bad, or indifferent, it ought not to prevent your Lordships from entering seriously into the enquiry I mean to propose---an enquiry into the state of the nation. I am sure your Lordships cannot say, that such an enquiry is unnecessary. When a civil war rages with uncommon violence, and has rent the empire asunder; when the whole force of the kingdom, and all we can hire, are unable to restore quiet; when we are adding enormously to a debt already enormous, and there is no prospect of a happy issue, it cannot be said that no enquiry is necessary, because all goes on smoothly and well. That a most unnatural civil war does exist, that we are expending treasures of men and money, and that we seem farther than ever from the situation we left, is what every one must acknowledge. Does it not then become the nation to enquire and be informed in the most solemn manner possible, how we came into this situation? for what we are contending? what the contest costs us? and what prospect there is of a happy end? We have certainly had very little information, and it must be allowed that wisdom, especially in times of difficulty, requires us to proceed upon a thorough knowledge of every circumstance that may lead us to judge rightly. We must first be sure that our cause is just, then enquire into our means, the likelihood of success, the degree to which it may be pursued, and whether that degree of success is worth the certain loss and great risk to which we expose ourselves in the pursuit? In times like these, the nation has a right to be informed of the true state of its affairs, and Parliament being the regular and authentic channel of such information, it is the duty of Parliament to give it.

An enquiry into the state of the nation is very extensive; it includes every thing. I hope therefore that every one of your Lordships in the least used to business, will lend his assistance in prosecuting those branches that may appear most important. One object may strike one, and another another. The enquiry will be open to all. But as it may be expected I should in some degree point out for what purpose I particularly move it, I shall, without excluding myself from any other

ther subject, or from what shall arise from the materials laid before us, readily explain what I have principally in view. It is, to state to the nation what this war, so far as it has gone, has already cost us in blood and treasure; to enquire into the conduct of it, and the measures taken for restoring peace. For these purposes, I shall move that several accounts and papers be laid before the House; and that there may be time to weigh them, I shall not move that the day for going into this consideration be before the holidays; nor yet immediately after, lest there should not be time to prepare any other papers which may then seem necessary. I therefore humbly move your Lordships, to resolve that this House will take into consideration the state of the nation on Monday the 1st of February next.

Earl of Suffolk. I presume the noble Duke does not mean to infringe upon the right which the King's servants have, of judging of what in their respective offices may or may not be properly and safely disclosed; consistently with the interest of the nation, and the safety of individuals. If the noble Duke entertains such an intention, I shall most certainly resist any proposition tending that way. It would be imprudent and unpolitic, and would be directly contrary to his Grace's avowed object, that of promoting the public welfare.

Duke of Richmond. By no means: I do not wish for any improper, or dangerous information; and to avoid a possibility of even the appearance of any thing of the kind, the motions I intend to submit to your Lordships shall all have a retrospective view; they will be framed so as to call forth matter already known to our enemies; matter known to perhaps every other person, who may have made it his business to discover it, but to both Houses of Parliament. They will chiefly be directed to two points; to the state of our army and navy; and the expences of the war, previous to the first of August last. To such a disclosure, I presume there is not one of your Lordships can reasonably object.---I shall first move, that an account be laid before this House, of the returns of the several military corps and marines serving on board, which have suffered by death, wounds, captivity, sickness, or desertion, from the commencement of the year 1774, to the 1st of August 1777, in America.---Agreed to.

A list of ships and armed vessels, and the number of men who suffered, as in the former motion, by death, wounds, captivity, sickness, and desertion.

Earl of
Sandwich.

Earl of *Sandwich* objected to this motion; said it was impossible to make out the account; that no accounts were kept in some instances; and where they were, they had not usually been transmitted to his office. So it happened in the case of desertion, where frequently they were received on board other vessels.

Duke of
Richmond.

Duke of *Richmond* replied, that he did not expect any information from the noble Lord, it was not in his power to give; that the account moved for was regular and parliamentary; the motion being general, would extend to the inferior boards of the same department, and of course relieve his Lordship from the difficulty which he had now started.

His Grace moved, thirdly, for the last returns from the hospitals of the sick, wounded, and dead.

Fourthly, for a list of the ships and armed vessels, employed as convoys. All agreed to.

Fifthly, for an account of his Majesty's ships of war, which have been employed (since the passing of an act of the 16th of his present Majesty, to prohibit all trade and intercourse with the colonies of New Hampshire, Massachusetts Bay, Providence Plantation, &c.) as cruisers, for the protection of this kingdom and Ireland; the station of such ships, and how long ordered to continue on such cruizes; with the times of their going to sea, and returning into port, so far as relates to such ships as are actually returned into port.

Earl of
Sandwich.

Earl of *Sandwich* opposed this motion strenuously. He said, it would be informing the Americans of our strength and stations, and enable them to avoid the vigilance of the King's ships.

Duke of
Richmond.

Duke of *Richmond* replied, that the want of force, or the want of vigilance, was the cause of so many of our merchant vessels having been taken, and of our seas swarming with American privateers, who infested our coasts so as to endanger our commerce, or, indeed, rather in some measure suspend it.

Earl of
Sandwich.

Earl of *Sandwich* acknowledged the charge in part, and said, that eighteen American privateers had sailed from one port only (Boston) which it was not in our power to prevent for want of information. The force we had to protect the coast of Great Britain and Ireland, was amply sufficient, if we had known that the Americans intended to infest our coasts. The motion was agreed to.

His Grace's sixth motion, was for the last accounts of the state of the army in this kingdom.

The seventh, for the state of the army in Ireland.

The eighth, for the state of the army in America, distinguishing the number of British and foreign troops. These three last motions were agreed to without any opposition.

Earl of *Chatham*. I most cheerfully testify my approbation of the motions now made by the noble Duke; and am fully persuaded, that they have originated in the most extended motives: nor am I less pleased with the very candid reception they have met with from your Lordships. I think they will draw forth a great mass of useful information; but as to those respecting the state of our military strength, there appears something yet wanting to render them complete. Nothing has been offered which may lead to inform us of the actual state of the garrisons of Gibraltar and Minorca, those two very important fortresses, which have hitherto enabled us to maintain our superiority in the Mediterranean, and one of them (Gibraltar) situated on the very continent of Spain, the best proof of our naval power, and the only solid check on that of the House of Bourbon; yet those two important fortresses are left to chance and the capricious dispositions of France and Spain, as the only protection; we hold them but by sufferance. I know them to be in a defenceless state. None of your Lordships are ignorant that we lost Mahon at the commencement of the late war. It was indeed a fatal disaster, as it exposed the trade and commerce of the Mediterranean to the ravages of our inveterate and then powerful enemies. My Lords, such was the light in which the acquisition of that fortress was looked upon when it was first taken, that the Duke of Marlborough, who was no great penman, but who employed a secretary to draw up his dispatches, in answer to the letter from the able general and consummate statesman who conquered it (the father of my noble relation, now in my eye, Earl Stanhope) trusted the dispatch to the secretary, but added a postscript in his own hand and writing, where he recommended particularly to the glorious general, to by no means neglect putting that fortress in the best possible state of defence, and to garrison it with natives, and not foreigners. When I had the honour, soon after it fell into the hands of the French, to be called to the councils of the late King, I never lost sight of that circumstance. Gibraltar still remained in our hands; and though the war in Germany, which Parliament thought fit

Earl of
Chatham.

to engage in, and bind themselves to, before I came into office; though we were carrying on the most extensive operations in America; though the coast of Africa, and the West-India islands, required a suitable force to protect them; and though these kingdoms called for a proportionate army, not only to act defensively but offensively on the coasts of our enemies; notwithstanding all those pressing services; my Lords, having the counsel of that great man constantly in view, it determined me, that whatever demands, or how much soever such troops might be wanting elsewhere, that Gibraltar should never want a full and adequate defence. I never had, my Lords, less than eight battalions to defend it. I think a battalion was then about eight hundred strong. So that, my Lords, I affirm, that Gibraltar was never trusted to a garrison of less than six thousand men. My Lords, this force was as it were locked up in that fortress during the whole of the late war; nor could any appearance of the most urgent necessity induce me to weaken it. My Lords, I know that the very weak and defenceless state of these islands does not seem to admit of any troops being spared from the home defence; but, my Lords, give me leave to say, that whatever reluctance or disgust there may have appeared in several veteran and able generals to the service, where the tomahawk and scalping-knife were to be the warlike instruments employed as the engines of destruction, I am convinced there are many, some of whom I have in my eye [supposed to mean Lords Townshend and Amherst] who would, with ardour and alacrity, accept of any command, where the true honour, interest, and safety of their country were concerned. My Lords, the moment is arrived when this spirit should be exerted. Gibraltar is garrisoned by Hanoverians. I am told, if any accident should happen to the present commanding officer there, that the care of the fortress, and the command of the troops, would devolve on a foreigner. I do not recollect his name, but this is my information; and if I do not hear it contradicted, I must take it for granted. I am well authorised to say, my Lords, that such is the present defenceless state of Gibraltar, that there is not a second relief in case of an attack; not men sufficient to man the works, while those fatigued with service and watching go to refresh, eat, or sleep, though Germany and the wilds of America have been ransacked for the purpose.

My Lords, we should not want men in a good cause; and nothing ought to be left untried to procure them. I remember,

ber, soon after the period I shall take the liberty to remind your Lordships of, after an unnatural rebellion had been extinguished in the northern part of this island, men not fighting for liberty, or the constitution of their country, but professedly to annihilate both, as advocates for popery, slavery, and arbitrary power, not like our brethren in America, Whigs in principle, and heroes in conduct; I remember, I say, my Lords, that I employed those very rebels in the service and defence of their country. They were reclaimed by this means; they fought our battles; they cheerfully bled in defence of those liberties which they attempted to overthrow but a few years before. What, then, does your Lordships imagine would be the effect of a similar conduct towards the Whigs and freemen of America, whom you call rebels? Would it not, think you, operate in like manner? They would fight your battles; they would cheerfully bleed for you; they would render you superior to all your foreign enemies; they would bear your arms triumphant to every quarter of the globe. You have, I fear, lost the affection, the good-will, of this people, by employing mercenary Germans to butcher them; by spiriting up the savages of America to scalp them with the tomahawk. My Lords, I would have you consider, should this war be pushed to extremities, the possible consequences.---It is no farther from America to England, than from England to America. If conquest is to be the issue, we must trust to that issue, and fairly abide by it.

The noble Earl at the head of the admiralty, the last night I had the honour to address your Lordships, contradicted me, when I asserted we had not above twenty ships of the line fit to proceed to sea (on actual service) at a short warning. I again repeat the assertion, though I gave it up at that time, on account of the plausibility and confidence with which the fact was asserted. I now say, there are not above 20 ships of the line on which any naval officer of eminence and skill in his profession would stake his credit. The noble Earl in office, said, there were thirty-five ships of the line fit for sea; but acknowledged, that there was a deficiency of near 3000 of the complements necessary to proceed upon actual service. How did the noble Earl propose to fill up that deficiency? By supernumeraries, by transfers, by recruits, &c. Will the noble Earl say, that 21,000 is a full war complement for thirty-five ships of the line? or will he undertake to assure this House (even allowing for those odds and

and ends) that the ships will be properly manned by the numbers now actually on board? But if every particular fact, stated by the noble Earl, be precisely as he would persuade your Lordships to believe; will his Lordship pretend to affirm, that 35 ships of the line, or even 42 (the highest that his Lordship ventured to go) would, in case of a rupture with the House of Bourbon, be sufficient for all the purposes of offence, defence, and protection? I am sure his Lordship will not. A fleet in the Channel; one in the Western sea; another in the West-Indies; and one in the Mediterranean; besides convoys and cruizers to protect our commerce and annoy our enemies. I say, my Lords, that thirty-five ships of the line would be necessary for the protection of our trade and fortresses in the Mediterranean alone. We must be equal to the combined force of France and Spain in that sea, or we need not send a single ship there. Ships must be stationed to command respect from the powers on the coast of Barbary, and to prevent their piracies on our merchant vessels. We must have a superior fleet in the western sea likewise; and we must have one in the Channel equal to the defence of our own coast.

These were the ideas which prevailed, when I had the honour of assisting in the British councils, and at all other preceding periods of naval hostility since the Revolution. My Lords, if Lord Anson was capable of the high office the noble Earl now presides in, the noble Earl is certainly mistaken in saying, that 35 or 55 ships of the line are equal to the several services now enumerated; that great naval commander gave in a list at one time, of 84,000 seamen actually on the books. It is well worthy of your Lordships' enquiry, to know what are the present number. The motion made by the noble Duke leads to that enquiry, and meets my warmest approbation; but that we may have every necessary information, I recommend to my noble friend to amend his motion by extending it to Gibraltar and Mahon. I do not wish to have any thing disclosed at present, which may tend to expose the weak state of those fortresses; but I think it is incumbent upon your Lordships to learn their strength, in point of numbers of men; and to know how the fact stands, relative to the possibility of the command of Gibraltar devolving on a foreigner, in case of any accident happening to the officer who now commands there.

Earl of
Sandwich.

Earl of *Sandwich* rose in great warmth; said he asserted, on the occasion alluded to, nothing but the truth; that he never

never meant to mislead; that he was an honest man; and when he asserted what he knew was right, he would be brow-beat by no man. He acknowledged the superior abilities of the noble Earl; but when facts were in question, which he knew to be true, he would give way to no authority, however high or respectable. As to the deficiency of the complements of the thirty-five line of battle ships, when he said they could be filled up by supernumeraries, he was justified in saying so; and by the manner the noble Lord understood the word supernumeraries, it was plain he was ignorant of the term; they were not the outcast or refuse of the navy; nor made by transfers from one ship to another; they might be as able seamen as any in the navy: the truth was, that the complements of several ships exceeded their rates; so that every man borne in each ship, more than what was always allowed to man a ship of that rate, is a supernumerary. They were composed of able and ordinary seamen; they might have been pressed, or have entered voluntarily into the service. His Lordship said, it was extremely unparliamentary, to argue upon expressions which had fallen in a former debate. He did not however wish to avail himself of that long-established usage. He said then, and he now repeated, that we had a navy fully adequate to meet the whole force of the House of Bourbon, in the first instance; and should they entertain any hostile intentions, the remainder of our force was in such a state of preparation as would render it much superior to any France and Spain could send against us. He was not ashamed to tell the noble Lord, that it is the duty of a first Lord of the Admiralty, to have a fleet superior to anything those powers may be able to send to sea. France and Spain had armed some time since, so did we. Those armaments have been increased, so have ours. Such was the true state of the case; we are in a state of preparation; whenever further appearances justify us, we must keep pace with our neighbours. The noble Earl, in debate, had laid great stress, that the Mediterranean alone would call for a naval force, equal to the whole of the ships ready for service. He could hardly think that; the greatest fleet ever sent upon that service, was under Matthews and Lestock, during the war preceding the last. The noble Earl would, he hoped, recollect, that that fleet had many other objects besides the protection of the Mediterranean commerce, or of Gibraltar and Malaga. It was sent there to facilitate the operations of our allies in Italy; to protect the King of Sardinia's and the Em-

press

press Queen's dominions. But from that single instance, he presumed, the noble Earl would not infer that we should always have so powerful a fleet in the Mediterranean. It was not the case during his Lordship's own administration, nor during any other preceding, the one mentioned excepted. If the noble Earl is urged to speak from secret intelligence, to recommend a more full and compleat naval armament, let his Lordship speak out; it is his duty to do so, that we may be prepared. If the House of Bourbon has any such intention, I shall take care to have our fleet equal to any attempt they may think proper to make. The noble Earl, in argument, seems to understand me, as if I meant to say that our whole force, manned and unmanned, consisted of no more than 42 ships of the line. I repeat to the noble Earl, that we have 54 ships of the line ready for sea, including those in America, the West-Indies, &c. and that with the ships of the line in ordinary, we could, before the end of the year, be able to send ninety line of battle ships to sea. He begged the noble Earl, very earnestly, when he wanted naval information, to apply to him. He hinted whence he had his; but they who attempted to inform him, it was plain, knew nothing of the matter.---His Lordship concluded with confessing the great talents and superiority of the noble Earl on every subject but that of the navy, and a consciousness of his own inability to cope with him on any other.

Lord Town-
shend.

Lord Townshend answered part of Earl Chatham's speech; particularly relative to the present state of Gibraltar, and the propriety of employing the savages under General Burgoyne. Upon the first of these, his Lordship observed, that Gibraltar had, at no preceding time, been in so complete a state of defence; and when the works were all finished, it would be rendered in a great measure impregnable. It was long known, and complained of, that we held Gibraltar only by the superiority of our navy; the defences next the sea being very weak; consequently, that it was liable to be surprized at any time on the commencement of a war with France and Spain. That had, however, been lately provided against; new works of great strength had been raised; and they had been so constructed, as to give cover to a regiment in the event of a siege; and so situated as to be nearly centrical, and to enable the reliefs to proceed to their several posts with little or no danger from the enemy's fire. On the subject of employing the savages, he said it was impossible to make war in America, without them. They served as scouts and spies to bring intelligence.

Intelligence. In such a country as America, covered with woods, and intersected by rivers, lakes and morasses, they could not be well done without; where indeed it might be possible for two armies, though a short space asunder, to know no more of each other, than if they were on opposite sides of the globe. The Queen of Hungary, and several other European powers, employed Croats, Pandours and Grassines, and various denominations of irregular troops, during the late and former wars; yet he never heard their conduct arraigned in such a manner, nor were they charged as the authors of murder, rapine, &c. The Indians were employed by the noble Lord then near him (Lord Amherst) so they were by himself; not for the purposes presumed by the noble Earl, but solely for those he had mentioned, to act as scouts or irregular troops; to gain intelligence in general; and of the approach of an enemy in the almost impervious forests in America, where European troops would be totally useless, if employed in that service.

The Marquis of *Rockingham* said, he rose to take notice of the criminal ignorance of the first Lord of the Admiralty, relative to the force and destination of the American privateers, which could assemble and proceed to the coasts of Great Britain, alarm both kingdoms, and distress our trade, and that unknown to the noble Earl till he learned it from the traders between Great-Britain and Ireland, and the inhabitants of the sea coasts. His Lordship observed, that no answer had been given to the strength of the garrisons of Mahon and Gibraltar; but that a noble Viscount had asserted, that strong additional works had been raised. Now taking the fact in the noble Viscount's own way, it was a further motive for strengthening the garrison; additional works called for more men to defend them; consequently, if 6000 troops were requisite for the defence of Gibraltar in case of an attack, the new works requiring a whole battalion, it followed, that no less than 7000 would be now sufficient. He insisted, this circumstance alone was the fullest corroboration of what had been asserted by the noble Earl, who recommended a motion for the state of that fortress. He concluded by observing, that the concession made by the noble Earl in office, not only proved, that administration was negligent, but that, in consequence of their ignorance and incapacity, our commerce had materially suffered; and we had, as the only safe means of carrying it on, been obliged either to ship our property in foreign bottoms, or pay most exorbitant premiums to insure it.

Marquis of
Rockingham.

Lord Town-
shend.

Lord *Townshend* allowed, that additional works called for a proportionable encrease of men to man them; but denied, that was the case in those lately erected at Gibraltar. The fortifications were not extended, but rendered more tenable, and complete.

Duke of
Richmond,

Duke of *Richmond*, The noble Earl near me [Lord Sandwich] has been drawn into a digression, in order to explain what he said on the first day of the session, relative to the navy. I shall not follow that subject at present, as we are soon to have authentic documents, from which we shall be able to reason upon it with more certainty than we can now. I shall therefore take no notice of what has fallen from the noble Earl at the head of the Admiralty, except in one instance. He has said, that supernumerary men, which are ready to be turned over to the line of battle ships, are to all intents and purposes whatever, the same, and of as much use as if they actually were, or had been ever so long, on board them. My Lords, I am not a judge of sea affairs, but from the analogy of our professions, I think this cannot be. Men collected from various quarters, unacquainted with the officers, and unused to the particular mode of discipline in a strange ship, can never be so useful as those that have been trained together some time. I have heard that various commanders have various fashions. On board some ships, it is to the boatswain's whistle, in others to the music of a fife, that the men work. But I believe every sea officer will tell the noble Lord, that he wishes to have his men on board as long as possible, before they go to sea, and that new men cannot be so useful as the old ones. I entirely agree with the noble Lord as to the importance of Gibraltar and Minorca. They are essential to our Mediterranean trade, to our weight with the Italian states, and to keep the states of Barbary in order. We once lost Minorca, and a successful war restored it. But if ever we lose Gibraltar, which is, as it has been justly called, a British fortress in the heart of Spain, we shall never get it back again. Our possession of it is particularly galling to the pride of Spain, and no consideration will ever tempt her to restore it. I intended to have moved for the state of the troops in those garisons, but it escaped my memory. I therefore beg leave to move, "That copies of the last monthly returns of his Majesty's forces, as well foreign as British, in Gibraltar and Minorca, be laid before this House."

Earl of
Sandwich.

Earl of *Sandwich* begged to set the noble Duke right; ships were filled with supernumeraries only, because super-
numeraries

numeraries, collectively considered, certainly could not be deemed as able and as serviceable as that part of the complement of any ship which had been some time on board, however many individuals among the supernumeraries might be perfect masters of their profession, and able seamen in every sense of the word. The custom of manning the navy, he told the Duke, was not to give a ship her full complement at once, but just before she sailed to perfect her complement by a small portion of supernumeraries, by which means, from the various employments on board, all the hands were immediately useful, and in a very short time the supernumeraries were to the full as serviceable in every point as the rest of the crew.

The Duke of *Richmond*. I beg leave to return my best thanks for your readiness in granting the papers I have moved for. When ministers have refused information, I have been strong in my censures. I am equally eager now to give them merit for their acquiescence. Concealment ever creates distrust. A willingness to have our conduct examined fairly and freely, is the surest method of obtaining confidence. A noble Lord in office has said, that he hoped, I did not mean to preclude ministers from making such official communications as they may think proper. Certainly I do not. I wish every information to come voluntarily, and it is only because it has been neglected and formerly refused, that I have now, as an individual, called for it in this solemn manner. I augur well from the readiness with which it has been granted. I hope it shews a disposition to give the nation real information, and I think the nation cannot know the true state of its affairs, and not see the necessity of an immediate peace. Peace is my only object—Peace, with those, with whom we are connected by blood, by habits, by language, by religion, and by interest. With them let us form a real family compact. This is our most natural alliance, which will enable us to resist all the other family compacts in the world.

The Duke of *Bolton* rose next, and having said a word or two in justification of what Lord Sandwich had thrown out respecting the nature of supernumeraries, his Grace observed, that several of the motions offered to their Lordships by the noble Duke near him were exceedingly important; and as their view most clearly was to ascertain the present state of the navy, he could not but endeavour to supply that deficiency which he foresaw they would leave in the information aimed at, and which he acknowledged their Lordships in particular,

cular, and the public at large ought to be masters of. With this intention it was, that he troubled their Lordships with a new motion, which was, "That an address be presented to his Majesty, humbly desiring his Majesty to order the proper officers to lay before their Lordships a state of the number and condition of the ships in ordinary."

He further observed, that the noble Earl at the head of the admiralty said, that in the course of a year, with the assistance of the ships in ordinary, we should, in case of a rupture with the House of Bourbon, be able to equip ninety line of battle ships for sea.---He could not say, after all he had heard for some years past, in that House, of the formidable state of the navy, though strictly true, that it answered his expectations. The navy, since the noble Earl came to preside over it, had cost the nation enormous sums; sums unparalleled within a like period of a peace-establishment; yet after a twelve-month's press, the whole we had for the protection of our trade, for home defence, and every kind of miscellaneous service in every part of the globe, by the noble Lord's own account, amounted to no more than 35 ships of the line for the home defence, and 54 in Asia, Africa, America, and the rest of Europe included. The noble Earl told your Lordships, almost three years since, that he could send to sea at three days warning, 20 ships of the line completely manned, and fit for actual service; now, says his Lordship, we have 35; so that all a twelve-month's press has done for us, is to enable us to send to sea, should occasion require, fifteen more ships. I can affirm from my own knowledge, that with a very low peace establishment, I think only 8000 seamen, a six months press, on the breaking out of the late war, enabled us to send 80 ships of the line to sea. Our number upon paper, I do maintain, ought to be 150, not 90 as stated by the noble Earl. To learn what our force in ordinary would be able to afford us, on an emergency, I trust the noble Earl will accede to the motion now made.

Earl of
Sandwich.

The Earl of *Sandwich* strongly objected to this motion as highly improper; the Earl said it would materially affect the interests of Great Britain, by holding out to its natural enemies a species of information which they could not by any other means obtain, and which it was the duty of the King's servants, at all events, to keep from them. It was of no importance, he observed, how notorious our positive and immediate naval strength was, but it was a matter of most serious concern to conceal from all mankind how much we had it in
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our power to encrease that strength, and how long it would take us to give it such an addition as would render it more formidable than that of any other country could possibly be rendered. Foreigners went into our yards, and saw a great number of ships in dock, and apparently nearly ready for sea. It was right that they should entertain an opinion, that they were all nearly ready, although it often happened when we, perhaps, stood alone in a knowledge that, from various private reasons, several of those apparently ready ships could not be sent to sea for some time. It was politic always to conceal our naval resources, and it was a policy so obvious, that it was by no means peculiar to Great Britain. France did, and had long done, the same; nay, she had gone further, she had shut up her dock-yards from the eye of every stranger, and had a most formidable fleet on paper, which she held out to terrify the world, when he well knew, from secret and authentic intelligence, that many of her ships upon paper, were ships on paper only, and that they could not be put to sea, were there occasion for their services. He begged, therefore, that the noble Duke would withdraw his motion, as he must oppose it, if he persisted in offering it; at the same time, however, the Earl repeated, that he did not wish to withhold from their Lordships any intelligence proper to be given; if the noble Duke wished only to know what ships could soon be fitted out, in addition to the forty-two already in commission, he would readily tell him; in about a twelve-month we might have ninety line of battle ships at sea, and speedily after that period many more.

The Duke of Bolton declared, that he readily withdrew his ^{Duke of Bolton.} motion; because he saw it would, as the noble Lord had said, rather tend to distress than serve this country. From the noble Earl's repeated boasting of the good state of our navy, the readiness with which our ships were manned, and the abundant quantity of timber in our yards, he had conceived that it was of very little consequence, how public our naval strength was made; he now, however, was sorry to say, he found that the noble Lord's boastings were merely vain-boastings. In the year 1757, he well remembered, after a press of six months, eighty sail of the line were ready for sea. We had of late heard of a press, and a warm press, and yet the first Lord of the admiralty declared, that we had now only 55 ships ready, and that in twelve months more we could not encrease that number to more than 90 sail. An incontrovertible proof, that so far from our navy being in a good and

excellent condition, it was in a most deplorable condition. Having so strong a proof of the lamentable condition of the navy, the Duke repeated, that he did not hesitate a moment to withdraw his motion.

Earl of
Sandwich.

The Earl of *Sandwich* rose once more to justify himself. He observed, that the Duke had started a new matter; that if speedily equipping ships had been necessary, he certainly could have had a great many more ships ready than there now were; but the necessities of the state always governed the conduct of the admiralty-board, and he should hold himself highly culpable, and he did not doubt their Lordships would be of the same opinion, if he put the nation to a larger expence than occasion required. The Earl begged their Lordships to recollect, that a sufficient naval force to serve the purposes of the American war had been got ready as soon as it was called for; and that the present naval armament was prepared the moment it was known that the House of Bourbon was arming; he added, that had a foreign war broken out, there is no doubt but an increase equal to the occasion might long since have been made to the navy, and concluded his speech with declaring, that till there was occasion, he should not think it incumbent upon him to add to the public burthen, by increasing the public expence.

Duke of
Grafton.

The Duke of *Grafton* imputed the present calamitous situation of this country to the want of information; and insisted particularly, that the prohibitory, or capture act, passed in the 16th of his present Majesty's reign, and softened by the pretended powers vested in the Crown, for appointing commissioners to treat with America, was not the only cause of the subsequent disasters, but of the colonies declaring themselves independent. If however the powers granted by the act were what ministers pretended they meant to give, he wished to know what were the fruits they produced; and what steps had been taken by the commissioners to carry them into execution. His Grace then moved, "That the proper officer do lay before this House such papers as relate to the fulfilling that part of an act (meaning the capture act) so far as the same impowers certain persons to declare any colony, province, city, town, precinct, port or place at the peace of his Majesty: with a return of such colony, province, city, town, precinct, port or place, that since passing of the above act may be declared to be at the peace of his Majesty."

Earl of
Suffolk.

The Earl of *Suffolk* said, he hoped the noble Duke did not mean, by the generality of his motion, to take in any paper leading

ading to treaty; or particulars preparatory to it; but which never produced any effect. If that was his Grace's intention, he certainly would oppose the motion; if not, he had no objection. The powers of the act went no further than to receive submissions, which, in his opinion, was very right; as far therefore as any treaty was opened, or carried on, under those powers, he was ready to accede to the motion; but mere overtures tending to some future negotiation, he did not think proper to disclose, as they might materially affect individuals. His Lordship likewise objected to the terms of the Duke of Richmond's motion, relative to the appointing of a committee, as unusual.

The Duke of *Richmond* answered, that it was usual, and referred to a similar motion made by the noble Earl near him, some years since, in precisely the same words. [Earl Gower, the latter end of the year 1767.] Duke of
Richmond.

The Duke of Grafton's motion, thus modified, and understood by his Grace and the House, was agreed to.

His Grace lastly moved, "That an account of the national debt, as it stood on the 5th of January, 1770, and on the same day, in the years 1771, 2, 3, 4, 5, 6, and 7, with an account of all monies issued or granted from the latter period to the present, as far as the accounts could be made up, be laid before this House." Agreed to without any opposition.

Adjourned to December 5.

December 5.

Earl of *Chatham*. His Lordship began with remarking, that the King's speech at the opening of the session conveyed a general information of the measures intended to be pursued; and looked forward to the probable occurrences which might be supposed to happen, and affect the great bodies to whom they were addressed; and of course the nation at large, who were finally interested. He had the last speech from the throne now in his hand, and a deep sense of the public calamity in his heart: they would both co-operate to enforce and justify the measure he meant to propose. He was sorry to say, the speech contained a very unfaithful picture of the state of public affairs. This assertion was unquestionable; not a noble Lord in administration would dare rise, and even so much as controvert the fact.---The speech held out a specious outside---was full of hopes; yet it was manifest, that every thing within and without, foreign and domestic, was full of danger, and calculated to inspire the most melancholy forebodings.

forebodings. His Lordship hoped, that this sudden call for their Lordships' attention would be imputed to its true motive, a desire of obtaining their assistance in such a season of difficulty and danger; a season in which, he would be bold to maintain, a single moment was not to be lost. It was customary, he said, for that House to offer an address of condolence to his Majesty upon any public misfortune, as well as one of congratulation, on any public success. If this was the usage of Parliament, he never recollected a period, at which such an address became more seasonable or necessary than at present. If what was acknowledged in the other House was true, he was astonished, that some public notice was not taken of the sad, the melancholy disaster.---The report was the fact was acknowledged by persons in high authority [Lords Germaine and North] that General Burgoyne and his army were surrounded, and obliged to surrender themselves prisoners of war to the provincials.---He should take the account of this calamitous event, as now stated, and argue upon it as a matter universally allowed to be true. He then lamented the fate of Mr. Burgoyne in the most pathetic terms; and said, that gentleman's character, the glory of the British arms, and the dearest interests of this undone, disgraced country had been all sacrificed to the ignorance, to the merited, and incapacity of ministers. Appearances, he observed, were indeed dreadful; he was not sufficiently informed to decide on the extent of the numerous evils with which we were surrounded; but they were clearly sufficient to give just cause of alarm to the most confident or callous heart. He spoke with great candour of General Burgoyne: he might, or might not, be an able officer; but by every thing he could learn, his fate was not proportioned to his merit. he might have received orders it was not in his power to execute. Neither should he condemn ministers; they might have instructed him wisely; he might have executed his instructions faithfully and judiciously, and yet he might have miscarried. There are many events which the greatest human foresight cannot provide against; it was on that ground therefore he meant to frame his motion. The fact was acknowledged, the General had miscarried. It might not have been his fault; it might not be that of his employers or instructors. To know where the fault lay, he was desirous of having the instructions laid before the House. So much of the plan at home had however transpired as justified him in affirming, that the measures here were founded in weakness and barbarity.

barbarity, and inhumanity. Savages had been employed to carry ruin and devastation among our subjects in America. The tomahawk and scalping-knife were put into the hands of the most brutal and ferocious of the human species. Was this honourable war? Was it the means which God and Nature [alluding to what had fallen from Lord Suffolk on the opening of the sessions] put into the hands of Englishmen, to assert their rights over our colonies, and to procure their obedience, and conciliate their affection?---His Lordship spoke in the most pointed terms of the system introduced within the last fifteen years at St. James's: of breaking all connection, of extinguishing all principle. A few men had got an ascendancy where no man should have a personal ascendancy, by the executive powers of the state being at their command; they had been furnished with the means of creating divisions. This brought pliable men, not capable of being brought into the highest and most responsible situations; and to such men was the government of this once glorious empire now intrusted. The spirit of delusion had gone forth.---The ministers had imposed on the people.---Parliament had been induced to sanctify the imposition.---False lights had been held out to the country gentlemen.---They had been seduced to the support of a most destructive war, under the impression, that the land-tax would be diminished, by the means of an American revenue. The visionary phantom, thus conjured up for the basest of all purposes, that of deception, was now about to vanish. He condemned the contents of the speech in the bitterest terms of reproach. He said it abounded with absurdity and contradiction. In one part it recommended vigorous measures, pointing to conquest, or unconditional submission; while in another it pretended to say, that peace was the real object, as soon as the deluded multitude should return to their allegiance. This, his Lordship contended, was the grossest and most insolent delusion. It was by this strange mixture of firmness and pretended candour, of cruelty and mercy, of justice and iniquity, that this infatuated nation had been all along misled.

His Lordship returned to the situation of General Burgoyne, and paid him, indeed, very high compliments. He said, his abilities were confessed; his personal bravery not surpassed; his zeal in the service unquestionable. He experienced no pestilence, nor suffered any of the accidents which sometimes supersede the most wise and spirited exertions of human industry. What then, says his Lordship, is the great cause

cause of his misfortune? Want of wisdom in our council, want of ability in our ministers. His Lordship laid the whole blame on ministers: it was their duty to shield the ill-treated officer from the temporary obloquy he must suffer under, till he had an opportunity to justify himself in person. His motion bore no personal relation to the conduct of the able, but abused officer; it was meant to be solely pointed to draw forth those instructions, which were the cause of his defeat and captivity. General Burgoyne was subject to the events of war; so was every other man who bore a command in time of war; for his part, when he was in office, he never attempted to cover his own incapacity, by throwing the blame on others; on the contrary, he gave them every support and becoming countenance in his power.

His Lordship condemned next the plan of operations which he insisted were sent from hence; that of penetrating into the colonies from Canada. It was a most wild, uncombined, and mad project; it was full of difficulty; and though success had declared in our favour, would have been a wanton waste of blood and treasure. He next animated on the mode of carrying on the war, which, he said, was the most bloody, barbarous, and ferocious, recorded in the annals of mankind. He contrasted the fame and renown we gained the last war with the defeats and disgraces of the present; then, he said, we arrived at the highest pinnacle of glory; now we had sullied and tarnished the arms of Britain for ever, by employing savages in our service, by drawing them up in a British line, and mixing the scalping-knife and tomahawk with the sword and firelock. The horror he felt was so great, that had it fallen to his lot to serve in an army where such cruelties were permitted, he believed in his conscience he would sooner mutiny than consent to serve with such barbarians. Such a mode of warfare was, in his opinion, a contamination, a pollution of our national character, a stigma which all the water of the rivers Delaware and Hudson would never wash away; it would rankle in the breast of America, and sink so deep into it, that he was almost certain they would never forget nor forgive the horrible injury.

His Lordship observed, that similar instructions relative to the Indians, had been imputed to him. He disclaimed the least recollection of having given any such instructions, and in order to ascertain the matter, so as to remove any ground of future altercation on the subject, he called upon the administration

ministration to produce the orders, if any such had been given.

We had, he said, swept every corner of Germany for men: we had searched the darkeſt wilds of America for the ſcalping-knife; but thoſe bloody meaſures, being as weak as they were wicked, he recommended, that inſtant orders ſhould be ſent to call home the firſt, and diſband the others; and, indeed, to withdraw our troops entirely; for peace, he was certain, would never be effected, as long as the German ſcyon and Indian ſcalping-knife were threatened to be buried in the bowels of our American brethren. Such an expectation was abſurd, mad, and fooliſh. The colonies muſt conſider us as friends, before they will ever conſent to treat with us; a formal acknowledgment of our errors, and renunciation of our unjuſt, ill-founded, and oppreſſive claims, muſt precede every the leaſt attempt to conciliate. He declared himſelf an avowed enemy to American independence. He was a Whig; and though he utterly, from his heart, abhorred the ſyſtem of government endeavoured to be carried into execution in America, he as earneſtly and zealouſly contended for a Whig government, and a Whig connection between both countries: founded in a conſtitutional dependence and ſubordination.

His Lordſhip then recurred to the melancholy momentous ſituation of public affairs in general. He ſaid America was loſt, even by the accounts adminiſtration in the Gazette, and thought proper to impart. General Washington proved himſelf three times an abler general than Sir William Howe; or, with a force much inferior in number, and infinitely inferior in every other reſpect, as aſſerted from an authority not to be queſtioned [Lord Germaine] he had been able to baffſe every attempt of ours, and left us in ſuch a ſituation, that, if not aſſiſted by our fleet, our troops in the neighbourhood of Philadelphia muſt probably ſhare the ſame unhappy fate with thoſe under General Burgoyne. He condemned the motives of the war in the moſt pointed and energetic expreſſions, and the conduct of it in ſtill ſtronger; and compared the ſituation of this country to that brought on his dominions by the Duke of Burgundy, furnamed the Bold, the Prince of the Houſe of Savoy had his property ſeized by him; the injured Prince would not ſubmit: war was determined on; and the object ſtrongly reſembled the paltry preſence on which we had armed, and had carried fire, ſword, and deſtruction through every corner of America. The ſei-

zure was about a cargo of skins; he would have them, but the Prince of Saumur would not submit. The Duke was conjured not to go to war; but he persisted; "he was determined steadily to pursue the same measures;" he marched against "the deluded multitude;" but at last gave one instance of his magnanimity, by imputing his misfortunes to his own obstinacy; because, said he, "this was owing to my not submitting to be well advised." The case of the Duke of Burgundy, was applicable to England. Ministers had undertaken a rash enterprize, without wisdom to plan, or ability to execute. What had occasioned the rise, in the value of estates? America, which he now feared was forever lost. She had been the great support of this country. She had produced millions; she afforded soldiers and sailors; she had given our manufacturers employment, and enriched our merchants. The gentlemen of landed property, would probably feel this, for when commerce fails, when new burdens are incurred, when the means by which those burdens were lightened, are no more, the land owner will feel the double pressure of heavy taxes. He will find them doubled in the first instance, and his rents proportionably decreased. But what had we sacrificed all those advantages for? In pursuit of a pepper-corn! And how did we treat America? Petitions rejected, complaints unanswered; dutiful representations, treated with contempt; an attempt to establish despotism, on the ruins of constitutional liberty; measures to enforce taxation, by the point of the sword. Ministers had insidiously betrayed us into a war; and what were the fruits of it? Let the sad catastrophe which had befallen Mr. Burgoyne, speak the success.

In the course of his speech, he adverted to the language held in print, and in that House, by a most reverend prelate, the Tory doctrine, which it contained; and, he trusted, he should yet see the day when those pernicious doctrines would be deemed libellous, and treated as such. They were the doctrines of Atterbury and Sacheverel; as a Whig, he should never endure them; and doubted not, the author or authors would suffer that degree of censure and punishment they were justly entitled to.

After recommending measures of peace, instead of measures of blood, and promising to co-operate in every measure that might promise to put a stop to the effusion of one, and to promote the other, which still might prove the means of once more uniting our colonies to us, his Lordship moved,

"That

That an humble address be presented to His Majesty, that he will be graciously pleased to order the proper officer to lay before this House, copies of all orders and instructions to Lieutenant General Burgoyne, relative to that part of His Majesty's forces in North America under his command." The motion was seconded by the Earl of Abingdon.

Lord Lyttelton lamented the fate of General Burgoyne, on whom, as an officer and a man, he bestowed the highest encomiums; and wished, while the noble Earl had been so profuse of his commendations, he had acted with more real candour, and not as by the effect of the present motion, were it to be agreed to cast that unfortunate but able and brave officer's conduct into question, and expose him in his absence to an enquiry in which it would be impossible to defend himself. He objected to the intelligence; said it could not come properly before the House. It was but rumour, and, as such, was no solid foundation for a Parliamentary inquiry. He avowed himself as good and genuine a Whig, as the noble Earl. He had been bred in the principles of Whiggism from his earliest days, and should persevere in them to the end. He loved Whiggish principles, as much as he despised those of anarchy and republicanism. But if the bare name of Whig was all that was meant, he disclaimed the name. If an impatience under every species of constitutional government, if a resistance to legal restraint, if the betting of rebels, was the test of modern Whiggism, he begged leave to be excluded, as one not avowing or professing such doctrines. He would indeed much rather share the odium which had been unjustly cast upon another set of men, and be accounted a Tory, in preference to a modern Whig. His Lordship then entered into a general consideration of the question of right between this country and America. He said the noble Lords on the other side of the House had acknowledged the war to be popular. He was convinced it was, more than any other he ever recollected. The supremacy of this country was at stake. Shall we then forego all our just rights? Rights, I will be bold to say, on which the very existence of this country depends, for a single check? When it is notorious that we have been victorious in every other quarter, where our arms have been carried. Shall we crouch to America, because, allowing the fact to be true, we have met with one disaster? This was not the language of the noble Lord heretofore. He once rescued this country from

from impending ruin ; and I call upon the noble Lord to declare if he was now at the head of His Majesty's counsels, would he despair ? Would he advise this country to humiliate itself, and sue for peace to America ; or if he was of that opinion, does he think that America would either accede to terms he thinks reasonable ; or desist, even though we should declare her independent, from farther pretensions ? I know the noble Earl too well, to believe he could be so far deceived—Look on the other effect of such a procedure. We humble ourselves to our rebellious subjects. What would in that event all Europe think of us ? What would our antient enemies, France and Spain ? Would they not actually realize, what is now pretended they have in contemplation ? They would despise as well as detest us. It would operate to afford them the highest encouragement to attack us. They would immediately conclude, that we were weak, defenceless, pusillanimous ; that we were emptied of all that spirit of military glory and national pride that has hitherto proved our best defence. They would look on us as a nation of merchants, poor, tame, groveling and mercenary ; they would no longer envy, they would despise us ; such a conduct would fill them with confidence ; and that confidence would most assuredly terminate in our utter destruction. It is necessary therefore, even in that light, to act with vigour, to combat our misfortunes with resolution ; it will have a double good effect ; it will serve to convince both our domestic and foreign enemies of our strength, courage and resources ; and will, I maintain on every ground, be the best security for our own safety, and the only effectual means of bringing about those events which the noble Earl has this night drawn in such strong and inviting colours. His Lordship entered fully into the great question of Parliamentary supremacy ; and endeavoured to prove that it must be supported in its true constitutional extent ; otherwise the nation would be undone. He did not, he said, presume to point out the precise terms ; but even the noble Earl himself had admitted the necessity of American dependency. He was firmly persuaded that the supreme right even to tax, though Parliament was willing to relax, could not be given up—Parliament could not give up the rights of the empire ; they were inherent ; they were inalienable ; and the great controuling superintending power of the state was inviolable and indivisible. We were, he said, contending for the very existence of the empire ; should America prevail, instead of submitting

submitting to acts of Navigation from hence, she would prescribe them to us. The right of binding America in all cases whatsoever, we clearly possessed; and he trusted, he should never see it relinquished. We should always maintain the rights, though at least for the present, it might be inexpedient, to exercise it. The supremacy of the legislature, extended to every part of the British empire; nay in case of emergency, he was clear we had a right to tax Ireland; That emergency had never arose, for that country was always ready to contribute fairly and equitably to her share of the public burthens. But if an event should happen to call the right in question, he was clear that the right was with us. Would America consent to do as Ireland had done? Would she give support in return for protection? If she would, though he did not pretend to advise, not having the honour to assist in His Majesty's councils, that might be a proper ground perhaps to go upon; but no step towards conciliation could be taken consistently with the rights and dignity of this country, till the supreme right of this legislature was first acknowledged in all its parts; till they owned themselves subjects; till they submitted to the supremacy of this country. He said, a great deal of blame had been thrown upon ministers this night, as if the measures pursued relative to America were solely their measures. Was that really the case? By no means; they were the measures of Parliament, of the whole nation; they were measures which almost every Briton approved of. Parliament, in the most full and solemn manner, had given them the fullest public sanction. They echoed in so doing nothing but the voice of the nation; and shall one little check, said His Lordship, induce us to desist? No; I trust, as Englishmen feeling the treachery, perfidy, and ingratitude of our rebellious and unnatural subjects, it will inspire us, and call forth that spirit which has always led us to victory. His Lordship condemned in particular, the absurdity of immediately withdrawing our troops, as suggested by the noble Earl, as a preparatory step to negotiation, now become necessary; on the contrary if negotiation and peace, were the real objects to be attained, so far from such a measure having the desired effect, that he believed, upon his honour, the Americans would laugh at us for our want of spirit, or impute it to imbecility, and the want of means to either assert our rights, or maintain our national reputation.

His Lordship next observed, that the noble Earl had mentioned

tioned, that America was subordinate and dependent on this country, and contended, as the true test of that subordinate relation, that the navigation act, should be preserved inviolate, in all its commercial operations; yet the effect of the noble Earl's speech, is all calculated to prove, that we were not able to enforce that act, nor of course that constitutional dependence of which he supposes it to be the true basis.

He had heard the noble Earl say, "That if America persisted in asserting her independence, after the troops had been withdrawn, he would throw himself in their way!" What could he mean by such a declaration, unless that of acknowledging the impossibility of subduing them, by evacuating those posts we have got, which no future force could perhaps regain? For if they were thus left to the exercise of their own will, they would not only be independent of this country, but in the course of twenty years, America, when she had established her marine, would be a superior empire! In reply to that part of Lord Chatham in which he denied ever officially sending out orders for hiring the Indian savages to wage war against the French, his Lordship observed, that savages were employed on that occasion, and in great numbers, and though perhaps not under the express direction of the noble Earl, the measure was notwithstanding his, since the officers, so far from being called to any account for it by him, were at least tacitly justified in the deed.

As to giving up the idea of subduing America, because we had been in one instance unfortunate, was a proposition every way disgraceful to Britons. What would the House of Bourbon think of such unexampled pusillanimity? Would she not conclude us an exhausted nation, and this a fit moment for her to wreak her vengeance on us?—His Lordship here apologized for the warmth into which the subject had betrayed him; but said he should have had to accuse himself, if he had permitted the supposed fears of a British senate to get into the world, without rising up, and shewing the folly of them. He was much astonished, at the great parade the noble Earl had made respecting the tomahawk and scalping-knife; was an Indian's knife, a more dreadful weapon, than an Englishman's bayonet? In the present war, the chief of the blood which had been shed, was shed by the point of the bayonet; yet, who talked of the bayonet as a savage instrument of war?—He wished as heartily as any noble Lord present for an happy and honourable end of the contest and perhaps the late misfortune might

might make it proper to hold out terms to America. He wished not however that it should induce us to withdraw our troops, as such a fatal measure would most assuredly give America a superiority and advantage we should never be able to surmount. It would be indeed at once rendering her independent, and the moment America was lost, Great Britain would be ruined and undone.

Earl of *Suffolk* contended, that general report was not sufficient to found a Parliamentary enquiry upon. The report of the defeat and captivity of General Burgoyne, had every external mark of authenticity; but still, till it came officially before that House, he did not see how the House could properly take notice of it.

His Lordship joined the two noble Lords who spoke first, in their eulogiums on that gallant but unsuccessful officer [General Burgoyne] and pleaded his services as the best grounds for not giving the papers now called for. He said, that the motion was in every light unseasonable and ill-timed, would answer no purpose; and though it were proper to agree with the motion at the present moment, the time that would be necessary to prepare and select the information, so as to avoid the ill consequences which the whole of the instructions given to General Burgoyne might be productive of, was by much too short. The papers were voluminous, and contained a variety of matter not at all connected with the immediate object of the present question. They might disclose transactions not proper to be revealed in the present state of things; their contents, if nakedly laid before their Lordships, might materially affect and injure several individuals. This was not the wish of the House; he was very confident it was not the wish of the noble Lord himself who moved for them. Besides, in his opinion, taking the fact of General Burgoyne's overthrow to be certain, it would be extremely improper to accede to the motion. Frequent instances occurred in the English history, where the spirit of the nation had been routed by an unlucky accident, similar to the late defeat of General Burgoyne; and as brilliant successes as could be wished, had been the consequence of fresh exertions of the national vigour. His Lordship instanced the surprise of General Stanhope at Brahmagua; and said, if Mr. Burgoyne was made prisoner, the terms of his release were equally true; and, in consequence of that, his return to England was daily expected. His own account of that unhappy affair would throw more light upon the subject, than the most ample in-

formation it was in the power of the King's servants to give. When that period arrived, the whole of the plan and execution would be seen, and might be connected together, so as to enable their Lordships to form a proper judgment. He had no possible objection to agree with a similar motion to the present, or any other which might tend to shew the measure in its true and genuine light. He hoped the noble Lord who moved the proposition, and his friends, would be candid enough to give credit to administration, for their former readiness to give every paper which their regard for the public safety would permit. He begged leave to assure the noble Earl, it was their intention to do so, in every instance where the public safety, or the interests of individuals, was not concerned. He wished to explain his own sentiments relative to a subject so often alluded to by the noble Earl; that of employing Indians in the army commanded by General Burgoyne; because it had got out of that House, that he had approved and justified the measure in every supposed circumstance it might bring after it; such as, that we had a right to use all the means which God and Nature had put into our hands, to enable us to reduce our rebellious subjects; and that God and Nature, as a part of those means, justified the act of arming the Indians with the tomahawk and scalping-knife, for the purpose of committing the most horrid barbarities on the weak, inoffending, and defenceless part of our American subjects.

Nothing could be farther from his wish or intentions. He never meant to sanctify the abuse, but the use of those weapons, agreeably to the known and established usages of war. He insisted that the rebels meant to avail themselves of the tomahawk and scalping-knife, without any regulation. Administration did not. The noble Earl knew they had been employed during the late war in his own administration, he presumed, very properly. The noble Earl could not be ignorant of that circumstance, and therefore, if the measure had been so criminal and inhuman, as his Lordship would now represent it; it was his duty to have prevented it, otherwise, he must appear equally to blame with those he now censured in such very strong and severe terms. There could not be a stronger proof that they were employed in the same manner now, than their leaving General Burgoyne, when they found that no advantage they might prove of could induce him to abate of the rigour of military discipline. God and Nature furnished the means; but God and Nature likewise restrained

restrained the exercise of those means; the tomahawk and scalping-knife were weapons of destruction; so were the sword and bayonet; and when death was to be the consequence, it availed very little, in his opinion, what instrument was employed in effecting it. He apologized to the House for referring to what passed in a former debate, but he trusted their Lordships would perceive the propriety of the explanation; and the noble Earl must acknowledge, that his Lordship's example had fully justified him in the liberty he had now taken, in replying to that part of his speech. He concluded by assuring the House, that he did not mean to keep back any information that it would be prudent to impart, or that their Lordships might wish to have; for which reason, having a view to some future day, he should give his negative to the motion, by moving the previous question.

Earl of *Shelburne* said, the apology made by the noble Earl ^{Earl of} in high office was the most extraordinary that was ever offered in a House of Parliament. The noble Lord tells you, that he verily believes the report or rumour to be true; but Parliament must not take the least notice of it, because it does not come vouched in an official manner: when it does, I would be glad to know, from the noble Earl, what is the difference by which channel truth comes, so that we are satisfied it is truth? Oh! but the noble Earl pleads custom; he says, it is unusual; it is unparliamentary. I contend the noble Earl is mistaken. I contend that the usage has been the direct contrary; and I will refer his Lordship to a particular instance, every way applicable to the present, except that the enquiry then moved for and carried, was upon much more doubtful and weak grounds. It was in the reign of Queen Anne, just after her Majesty's change of ministry, when an account of the surprise and surrender of our troops in Spain under General Stanhope came in the shape of a prevailing report, through the channel of the Dutch minister, the very affair the noble Earl in office alluded to. Parliament did not then wait for official information. The House of Commons, the very next day, on the 5th of January, 1710, addressed the Queen, and desired, that an immediate enquiry might be made into the causes of that fatal disaster; and if I do not mistake, Lord Peterborough, who was at that time preparing to set out, to take upon him the command of the troops in Spain, was detained by this House, for several days, merely for the purpose of explaining to it the nature and extent of the war in that country; in order that Parliament

might be able to judge how far ministers or generals were or were not censurable for that fatal miscarriage. Ministers then did not screen themselves under the poor subterfuge of not having official information to proceed upon. They did not profess the belief of the certainty of the report; and yet, by moving the previous question, endeavour to discredit it. They did not wait for the return of the captive general; and under a possibility of his misconduct take the matter for granted; and shield themselves under that possibility.

The present moment was the time to call for the instructions. Ministers were accountable to the public for whatever blunders might occasion national miscarriages. Parliament had been made use of as a screen, to hide those from public scrutiny, who ought to be called forth to answer for their misconduct. The fate of Mr. Burgoyne was of a most alarming nature. God only knew what consequences it might produce. The finest train of artillery that ever had been sent out, had fallen into the hands of the Americans. He was credibly informed, that it had cost this country upwards of half a million, besides the enormous expence of transporting it thither. Flushed with such success, they might turn their force to Canada; or they might join General Washington. The situation of Sir William Howe might be rendered insecure. Before the expiration of the winter, he might find himself in the same situation as Mr. Burgoyne had been. His supplies cut off.

An idea had been thrown out, that the loss of the army under Mr. Burgoyne had been the only loss we had sustained. This was not the fact. The expedition undertaken on the lakes by Colonel St. Leger had failed. That expedition had been a curious one; and a most curious circumstance had attended the projecting it. It was planned in *Pall-Mall*. And as a proof of the exalted wisdom of those who planned it, they assigned a certain number of Hessian chasseurs to assist in the expedition, although at the time when it was undertaken, those very Hessians were in Germany.

Those who projected the expedition, never considered that a fair wind might be necessary to transport the Hessians to America, who were to be employed in it. As the witches of Lapland are supposed to have the command of winds, and to carry a fair one in their pockets for the benefit of their friends, so the *Pall-Mall* planners of the expedition upon the Lakes, did not recollect that their interest with the god of winds

inds might not be quite so powerful, as their interest in the drawing-room.

With respect to the instructions given to Mr. Burgoyne, they ought to be laid immediately before the House. Whenever they were produced, they would turn out to be precious documents. They would display the incapacity of ministers in the most glaring colours. The instructions which had hitherto been given to our military commanders, had, as he observed in a former debate, excited the ridicule of every baltern in the army. But blunders, incapacity, and profusion had marked the measures of the men in office. The profusion of government had been excessive. General Halimand, a Swiss by birth, for very slender services, had been most profusely rewarded. He was inspector general of the troops in the West India Islands, and governor of Quebec. Why General Carleton had been removed, it was very difficult to say. He had once saved Canada. He had saved it by venturing to disobey his instructions. The ministers professed to have a great confidence in him; and yet he disdained ever to correspond with one of them. The favours which the king had shewn to General Carleton, were not relished by the ministers. General Gage afforded another instance of the profusion of ministers. He was still the nominal commander in America, and received ten pounds daily as the salary annexed to his post, though he had not set a foot in America for these two years past. He contended, that General Carleton's only crime with administration was, that he did not approve of employing savages.---He despised administration; they did not receive a scrap of paper from him since a certain secretary came into office. He condemned the operations on the back of the New England colonies, as extravagant, absurd, and impracticable; a waste of blood and treasure, even though it had succeeded: and doubly absurd, considering the means pursued to procure success. The war on that side should have been defensive.---Canada might be retained.---That province would now probably fall into the hands of the Americans, if not preserved by the great military abilities (as it had once before) of General Carleton.

His Lordship mentioned a variety of circumstances, with a view to shew the inability, perverseness, absurdity and cruelty of ministers. He said a moment was not to be lost; official information would in fact be no information; for before that could be laid before the House, it would be too late, or any other species of information whatever.

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ever. He feared the French had early notice of the disaster which befel the army under General Burgoyne. He believed that some good news from America was all that prevented them from closing with the colonies; and he would mention what he heard, though he did not assert it for truth, that the delegates from the Congress had actually signed a treaty with France.

His Lordship next commented on the language held by a noble Lord, who spoke early in the debate [Lord Lyttelton] that Parliament had done this, Parliament had done that; the nation and the public at large had sanctified the measures of administration, and pledged themselves to their support. Parliament alone, aided by the voice of the people, had dictated the measures; Parliament had addressed the throne, and surely now they could not contradict or desert that advice which they had given their Sovereign. All this parliamentary form signified, his Lordship contended, just nothing. The measures were those of administration and not of Parliament, or the people.---Parliament was deluded, imposed upon, and misled---they trusted to what they were told.---He said, the sentiments of a gentleman farmer, with whom he lately conversed, was a just picture of the majority of the people within and without doors. The nation was deluded with false hopes and false pretences. He asked the farmer, what he thought of the American war and the general state of public affairs; for he liked to converse with such men, and draw forth information wherever he could find it. The farmer wished peace with America, but thought the colonies should be taxed as well as Great Britain. The man was one of the wealthiest farmers in the county of Wilts. Such men are sometimes sent to Parliament; men of extreme good natural understanding, but who do not trouble themselves much with abstruse researches into politics and science. Now, said his Lordship, if such a man as this was in the Parliament, which addressed the throne, declaring the colonies in rebellion, and pledging itself and the nation to the consequences of an American war; it is extremely probable, that he would reason precisely as he did with me, and determine accordingly. He would think, that America had as good a right to pay taxes as Britain. He would think, if we had the power, so we ought to employ it, to enforce what appeared to him to be fair and equitable; and when the measures of enforcing obedience to our tax-laws were resisted and attended with great difficulty in the execution, threatening an impossibility of success, and that heavy burdens were

be incurred in support of this war, he would probably wish peace; but yet be tempted to go on sooner than forego the attainment of the grand object he first had in view, namely, alleviating his old and new burdens. Such, my Lords, is, I believe, the case with many who compose the majority of the other House. They have been amused and misled by ministers. Many of them will, I dare say, continue to be misled; but if, in the first place, they were convinced of the unconstitutional ground of the claim, and of the utter impracticability of enforcing it, they would never have pledged themselves to the support of a system of measures full of folly, oppression and injustice. This, I will venture to maintain, is a just picture of great part of the majority which composes the other House. They have had a specious tale told them. They believed it. They formed their judgments on the information of those who had an interest in deceiving them, without once bringing the matter fairly home to themselves, without once recollecting, that they were representatives of others, as well as the disposers of their own property; and that no man, according to the most familiar reasoning, except where partiality, prejudice and self-interest arbitrarily creates the distinction, can be constitutionally bound, but by assenting in his own person, or by some other mode of assent, actual or implied. His Lordship entered into several definitions of the true constitutional connection and political relation subsisting between the colonies and the parent state; declared his sentiments relative to the dependency of America on this country; protested that he was thoroughly convinced, that that subordinate state would be as beneficial to the former as the latter, the great foundation of which was the act of navigation. He solemnly assured their Lordships, that notwithstanding all that had happened, he believed in his conscience, that such a connection and dependance, as he now pointed out, might be brought about, and permanently established between both countries, were our public councils conducted with wisdom and unanimity; and concluded with some very pointed observations on the conduct of administration relative to the only one step they had taken to induce America to negotiate, which was the famous resolutions moved by the minister in the other House, on the grounds of the petition presented by the Council and House of Assembly of the province of Nova Scotia. By those resolutions, the navigation act was to be taken up, or annihilated; and so ignorant were those who

drew

drew up the resolutions, they did not know, that instead of gaining any equivalent for giving up the navigation act, the duties to be paid in Nova Scotia, and which were to be solely applied to the internal expenditure of the colony, would prove so much actual loss of the receipt of the duties paid here. He observed however, that nothing more had been since heard of the resolutions; they had shared the same fate with the other celebrated resolution of the noble Lord, known by the name of the conciliatory proposition, which the Congress justly styled base and insidious. On the whole, if any treaty should be opened by the present set of ministers, or any other succeeding administration, he put in his protest against any proposition whatever, which might directly or indirectly tend to negotiate away the act of navigation; for in his opinion, it was the only true constitutional cement between both countries; and whatever minister dared to hazard such an experiment, would deserve to be impeached, and ought to be made amenable to the justice of his country.

Lord Cardiff.

Lord *Cardiff* said, he had received a letter this day from an officer in General Howe's army, in which the writer, after stating the precarious situation of their army, and the very equivocal character of their successes, says, in very emphatic terms (describing the troops of the enemy) that General Washington's is now a respectable army. His Lordship utterly condemned, the absurd opinions thrown out in both Houses of Parliament, of the Americans being a nation of poltroons and cowards. Can we, said he, suppose it comes by breed, when they are the descendants of ourselves? Can it be the consequence of their climate? If it is, the cause must affect our troops likewise; in short, it is an opinion equally betraying a total want of information and ignorance of the general condition of mankind. The Americans were not otherwise inferior to our troops, than as irregular troops are always inferior to troops more disciplined; as levies of raw troops and raw officers are always inferior to a veteran army headed by officers of experience. How long this distinction would continue, he would not pretend to say. If France continued to supply them with officers, and their own officers were continually improving in military knowledge, there was no reason why their army should not become as regular as any army in Europe. It was in vain to hope for any decisive victory, while they continued the policy of keeping up a defensive war, and avoiding a general action. That with respect to this country, that we were in a situation of difficulty

and danger, which we had never experienced before; that our national debt had risen to a height above the speculations of all former finances, with a certainty of its being still further increased; and that our land-tax was at four shillings in the pound, without a prospect of its being ever diminished. That in this situation, without a force fit to be named, either in England or Ireland, we were on the eve of a war with France; and what must of necessity happen at the same time, of a war with Spain. That the honour of this country could no longer brook the insults she was daily receiving from every European power. Lastly, That it was the nature of the people of this country to be slow in their resentments, but that if this war did not end gloriously, it did not signify what was the cause, the vengeance of the country would be roused at last, and overtake the authors of the present measures. and concluded with saying, that so necessary were vigorous and decisive measures become, he must support the present administration, and therefore should vote for the previous question.

Earl of *Galloway* rose next, but was awed, as he said with the dignity of the Assembly, and therefore begged leave to deliver his thoughts in writing.—The purport of his manuscript was to signify that he concurred with the noble Lord that had put the previous question, but only wished that administration could devise some more acceptable means of raising the present necessary supplies, than by the imposition of fresh taxes upon the poor, that the burden might fall more particularly upon the rich, among whom he ranked himself. God had blessed him with an ample fortune and numerous family; yet such were his ideas of the justice of the American war, and the necessity of prosecuting it to a prosperous issue, that as an individual he would assist with his whole fortune, sooner than give up or agree to a surrender of the supreme right of this country over all its dependencies---he would sooner part with that fortune which was the natural expectation of his offspring, in maintaining the rights of the empire, which he looked upon to be still a superior obligation to every other, howsoever much it might seem to press upon him in any tender duty or relation.

The Duke of *Manchester* charged Lord Cardiff with inconsistency, declaring, that he had shewn the American war to be impracticable as to any good purpose, and yet advised administration to continue it with all possible exertion. His Grace particularly complained of the ministry's

Earl of
Galloway;

Duke of
Manchester;

with-holding every species of necessary information from Parliament. His Grace drew a parallel between the probable fate of Britain, and that of the Athenian commonwealth, respecting their Sicilian colonies. He said, the oppression which Athens exercised over its colonies, in the island of Sicily, having caused the revolt of the Sicilians, the Sicilians obediently and friendly inclined, petitioned, and at length remonstrated, but all to no purpose; they must be subdued. Armies were sent from Athens; they met with difficulties; they were defeated. New levies were made; still victory declared in favour of those who were fighting for what they deemed their rights. The Athenian arms were unsuccessful. At this critical period arose a great popular speaker, who was likewise a soldier! (adverting to the conduct of Nicias and Alcibiades). He made speeches; he proved the justice of the war; he prophesied success; he got the command of the army. What was the issue? The army was cut off; he fell himself; Sicily was lost; Athens was drained, exhausted and weakened; she became a prey to her ambitious neighbour, the state of Sparta. The pride, and power, and military glory of Athens was no more, her rival Sparta gave her laws, armies, protection, and legislators; and such was the fate of that once glorious republic.---The people of this country had been spirited up in a similar manner; they had been deluded and imposed upon by specious tales and inflammatory speeches. Mr. Burgoyne's blind efforts to penetrate through Canada, was like the land-march of the Athenian generals towards Syracuse.---They were equally brave, but their plans being both unjust and wanting wisdom, their fortitude was unjustifiable; and he was very much apprehensive, from similitude of circumstances, that the issue upon the whole would be precisely the same; that of certain ruin and destruction falling on the head of the aggressor.

Lord

Townshend.

Lord *Townshend* replied to the noble Duke. He said, the two cases were by no means similar. Athens was a naval power; while her fleet was triumphant, she had nothing to fear from her foreign foes or rebellious colonies; the fact was, that her fleet was destroyed, before the disaster at land happened.---That was not the case with Great Britain. Our fleet was whole, entire and truly formidable, and more than equal to the task of coping, if not annihilating any naval force, which all Europe and America, leagued together, could possibly bring against us. He recapitulated what he had said on a former debate, respecting the measure of employing sea-

vages

ages under General Burgoyne.---He defended the plan of operations, adopting the manner of carrying on the war, from Canada by the way of the Lakes. He said in answer to Lord Shelburne, although General Burgoyne had certainly a very fine train of artillery sent out with him, and that under an idea that Quebec might possibly have fallen before he arrived there; that government had great reason to expect the new ordnance was still on board the ships in which it had been conveyed across the Atlantic. In further justification of the expedition under General Burgoyne down the back settlements, he shewed, that the French had last war acted exactly in the same manner. The Viscount also spoke highly in favour of General Haldimand, declaring he had long served his country well, and that the two places he held, were given him as a recompence for his services. His Lordship acknowledged, he was not in the secrets of government; but he was sufficiently informed, by so much of the plan as circumstances had disclosed, to pronounce it a wise and proper one. If Mr. Burgoyne was surrounded and made prisoner, he presumed he was, the operations he was engaged in, drew off the attention of the rebels; and ensured success to General Howe's operations in the first instance. He begged leave to totally differ from the noble Lord, who described General Howe's situation to be so dangerously critical. Tho' the first attack on Mud-Island and Red-Bank had miscarried, it was equal to a matter of certainty that they had both been long since reduced; and consequently the navigation of the Delaware, and a communication between the army and the fleet opened. But even supposing the worst, General Howe had taken a most advantageous position. He was encamped between two rivers, with the Schuylkill on his left, and the Delaware on his right; he had constructed ten redoubts which covered his whole front; and he had little doubt, that Red-Bank and Mud-Island would be soon reduced, as the engineer who constructed them was with Sir William. The general's situation was by no means eligible: but it was not of that complectional danger, which had been suggested by the noble Lord.

The Duke of *Richmond* spoke particularly to the affair of the surprise of General Stanhope (afterwards Earl Stanhope, ^{Duke of Richmond.} and minister to George the First); he insisted, that the General did not command an army. The troops were in cantonment. Though composed of eleven battalions, they amounted to but 2100 men; they were not, at the time they

were surpris'd, engaged in any actual operations, or state of hostility. When General Burgoyne was obliged to surrender to the enemy, it was not a disappointment, the loss of a detachment, nor of a particular object; it was the loss of a whole army; it at once annihilated every measure, every expectation; it defeated, in that, every object of the army, the General, and those who sent him there. His Grace dwelt much on the cruelties of the savage Indians, and instanced the case of Miss M^rRay, both as a proof of the personal humanity of Mr. Burgoyne, and the inhumanity of his instructions, which urged him to declare his abhorrence of the fact of that Lady's murder, and to justify his own conduct in permitting the murderer to go unpunished, as the surest and most efficacious means of preventing such murders in time to come. His Grace reminded administration of the true state of the war in North America: he wished they would reflect seriously on their own situation, as connected with that of the nation. He trembled for the fate of the brave, able and gallant men, who were upon this disagreeable, hazardous and painful service; and recommended to the King's servants to think upon the most expeditious measures for putting an end to a war, which, whatever may be the issue, must end to the disadvantage, if not total ruin of the British empire.

His Grace observed, the noble Lord who had spoke first in support of administration, spoke of our situation now, as if at the beginning of the war.---That it was no longer a question, shall we reduce America?---Can we, is the language proper at this present juncture; it is not, shall we make terms such as it may please us to impose, but will it please them to accept them? This was not a national calamity of the common sort, it was of that greater kind that menaced our political destruction, for General Howe was himself at present, according to his information, in no very agreeable situation, and he had no resource but in himself. What was still worse, England itself was left defenceless, and we might be ruined for want of that security which General Howe's army might afford us. The present calamity had been compared to that of Baraghua, under the conduct of General Stanhope; but there was no similitude; 2 or 3000 men that were sent only as a detachment, and from unlucky circumstances, were involved in unforeseen and unexpected distress; but the very next day the remainder of the army gained a most glorious and complete victory. This, he said, was something quite different from the present case, when 10,000 men were given

to a kind of premeditated destruction, by the imprudence, and obstinate absurdity of the conductors. But this instance had a further application to the present debate, which had not been observed; as soon as the Queen received the news of this defeat, though not communicated in the form of official information, she sent to have it told to the Houses of Parliament; as her advisers, and her proper counsellors, she let them participate in the very earliest account, that thereby she might indicate her confidence in them, and thereby procure the most early and expedient relief. Let our armies be brought home, let England be first provided for; let us secure our internal safety and felicity, before we extend our ambition to such savage conquests. General Burgoyne had been applauded for humanity; he was far from wishing to throw so disagreeable a stigma on any character as that of cruelty; but he was well convinced from authentic information, that he, or his army had been in some degree contaminated from the contact of Indian savages serving with them as fellow-soldiers in the field, and associating with them in other scenes of familiarity and intimacy. This, he said, was the cursed effect of associating christians with savages.

As we could not expect to conquer America, we should seriously turn our thoughts to the home defence. The army under General Howe should be recalled. It was the only army we had to defend this country. France and Spain were vigilant, and only waited for an opportunity to wreak certain vengeance on us. Should they take advantage of our calamities, it was not in the power of human foresight to predict the fatal consequences which might ensue; and he might add, without reserve, that if a change of measures were not adopted, the ruin of this country was inevitable. It had been the paltry narrow-minded policy of the Court to divide the friends of liberty, to destroy political principle under the pretext of abolishing the odious distinctions of party. The attempt had proved but too successful. Small indeed was the number of men who hung together, yet the time would come when the nation at large would join them. That moment ought soon to arrive, for perilous was the situation of our country. From whence were we to obtain troops? The shambles of Germany could yield no more. On every principle therefore of national defence, though the American war were founded in justice, if the argument of policy had any weight, the instructions called for ought to be given, that Parliament and the nation might be enabled to judge of the capacity

capacity of those men to whom it had intrusted its dearest interests.

In reply to the arguments, that the Indians had been found useful, his Grace contended, that exactly the contrary was the case; for that employing of the savages was the very cause of Mr. Burgoyne's defeat. That their cruelties had excited the whole country, men, women and children, to rise upon the British army, and come upon them with staves, pitch-forks, &c. and endeavour to destroy them.

His Grace bid administration recollect, that we had now no other army but that in Pennsylvania and New-York Island, and declared he trembled for Great Britain, while that army was on the other side the Atlantic. His Grace drew a comparison between the state of men's minds now, and at the time when the noble Earl, who made the motion, was prosecuting the last war with so much vigour and success. The noble Earl, he said, before he attempted to make the great efforts which produced such abundant glory and honour to this country, had united all men's minds at home, and having the sense of the nation with him, he had, with the greatest ease, put in practice his various endeavours to serve his country; the cause was general; all men, the army as well as the navy, felt it to be so, and thence the happy events of that glorious war. Was this the case now? There was not only a difference of opinion in Parliament, but a dissension in the cabinet; even the ministry were not of one mind. His Grace desired their Lordships to recollect, that the question no longer was, how they were to reduce America, but whether they could reduce America. In his idea the war was not more impolitic than impracticable, and instead of sitting in debate, how to carry on the war with success, it more materially behoved their Lordships to consider how they could put a speedy period to it.

Earl of
Fauconberg.

Earl of *Fauconberg* delivered his sentiments in favour of the motion for the previous question, arguing, that in point of delicacy to Mr. Burgoyne, it was wrong to begin the enquiry in his absence. His Lordship took pains to rescue Mr. Burgoyne from the charge of inhumanity, shewing, that he endeavoured as much as possible to restrain the fury of the Indians, and prevent them from perpetrating acts of cruelty.

Duke of
Richmond.

The Duke of *Richmond* rose in reply to inform the noble Earl, that he was the last man living who would concur in any measure which tended to criminate General Burgoyne in his absence. That the motion before the House went to a

very

very different point, to an enquiry how far administration was culpable for having sent a brave officer with ten thousand British troops under his command on a fruitless and absurd expedition.

Earl of *Shelburne* in reply thanked Lord Townshend for affording him an opportunity of doing justice to Mr. Haldimand, and said many handsome things of him, but declared he thought the payment for his services too great, and that it was highly reprehensible in administration to trust a foreign officer with so important a civil employment as the government of Quebec. Earl of
Shelburne.

As to the situation of General Howe, which had been described by the noble Viscount, as out of the power almost of the events of war, he begged leave to draw a direct contrary conclusion. He considered that General's caution to protect his army, as so many proofs of the extreme danger to which it was exposed. The construction of ten redoubts, after being in possession of the town of Philadelphia, shewed that Sir William had not any opinion of the great consequence to be derived from his two victories. Besides, his army would be hourly weakened; communications must be kept open; posts must be maintained; an intercourse with Chester at least must be preserved. Chester was thirteen miles distant. To maintain this communication would require a strong detachment; greater, he believed, than the General could well spare. As to the forts to be subdued on the Delaware, could it be fairly inferred, that the subduing them would be an easy task, because the engineer who constructed them had averred it. He must be too weak a man to be intrusted with the construction of a fort, who could give such an account of works of his own construction.

He required, he said, no assurance from the noble Viscount, that he was not in the secrets of the cabinet, or he would never have made so poor a defence of the expedition under Mr. Burgoyne. He was still of opinion, that the artillery was not safe; and that the army had been over-artilleried; and in all probability, Mr. Burgoyne's ill-success might be attributed to that very circumstance.

The question being now unanimously called for, it was put, and the numbers, on the division, were as follows:

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As soon as their Lordships returned into the House, the Earl of *Chatham* moved, "That an humble address be presented to his Majesty, most humbly beseeching his Majesty, Earl of
Chatham. that

that he would be graciously pleased, to order the proper officers to lay before that House, copies of all the orders or treaties relative to the employment of the Indian savages, acting in conjunction with the British troops against the inhabitants of the British colonies in North America, with a copy of the instructions given by General Burgoyne to Colonel St. Leger."

Earl of
Abingdon.

Earl of *Abingdon* strenuously supported the propriety of the noble Earl's motion. He said, the war had commenced in tyranny and injustice, and had been conducted upon principles of the most savage cruelty. His Lordship likewise called upon Lord Amherst to declare what he knew of the matter, as the fact in dispute had been so frequently referred to his decision.

Earl *Gower.*

Earl *Gower* [President of the Council] observed, that at this late hour of the evening he did not think it at all expedient to enter into a minute discussion of this question; one thing, however, he could not avoid mentioning, which was the wonderful inconsistency in the conduct of the noble Lord who proposed it. In a previous debate the noble Lord had acknowledged, that Indians were employed in the King's service in America during his administration, and that now he reprehended the practice as derogatory from the honour of the nation.

Earl of
Chatham.

Earl of *Chatham* arose, and reproached the noble Lord with petulance and malignant misrepresentation. The observation he made in the debate alluded to was, that Indians had indeed crept into the service from the utility the officers found them of in several of their enterprises, but that their employment had never been sanctioned by him in his official capacity; he believed his Majesty had too much regard for the military dignity of his people, and also too much humanity to have agreed to such a proposal had it been made to him. This remark of the noble Lord's was therefore a mere quibble, a misapplication of terms and meaning. What right had the noble Lord to comment on political proceedings? Where was he when these transactions were conducting? He was immersed in pleasure, and indulging himself in all the variety of dissipation that young noblemen are too apt to devote themselves to. He was here called to order: he did not sit down, but, changing his subject, he called upon the noble Lord who had conducted the expedition, to explain to the House, whether or no any such instructions were contained in the orders that he, during that war, received officially from him.

Earl

Earl Gower, after returning the asperities of the noble Earl, *Earl Gower.* declared, that nothing should prevent his speaking his mind freely. That he despised the conduct of those Lords who affected great humility in the very moment when they were throwing out insinuations, the most illiberal, the most unmanly and the most untrue. He was a plain man, and he ever used plain arguments. He was therefore free to repeat, that the noble Earl had himself, while at the head of administration last war, not only employed the Indians, but employed them under instructions and treaties of the most sanguinary tendency; and in order to shew that this assertion was not made merely to catch the public, and serve the purpose of temporary delusion, he would prove what he had said by producing from the journals of the House, one of those treaties, which breathed the spirit of cruelty in a greater degree than any instructions which Government had sent out to the commanders in America, since the present unhappy war had commenced.

While his Lordship was searching for this treaty, a strange confused altercation took place, which, however, was put an end to by reading the extract, which was a treaty with an Indian nation, one condition of which was, that they should kill and scalp every Frenchman who came within their country. Though the French were then at war with us, he presumed, the noble Earl, nor no Lord present would say, that they were more hostile or inimical to us than our rebellious subjects. His Lordship added, that the tribe of Indians alluded to were situated on the back of South Carolina. If his memory served him right, it was during the government of Mr. Lytelton (now Lord Westcote.)

Earl of *Chatham* denied he ever had. Savages might have been employed; but he denied he knew any thing of the matter; and called upon the noble Lord, who at that time commanded in America [Lord Amherst] to declare the truth. The question was not, whether Indians were employed in Canada the last war; but whether they were employed in the line, in the manner it was presumed they were now employed.

Earl Gower replied, that the noble Earl had exerted a spirit in another House that would not be permitted in that, where he has seen persons crouch to him. Such a conduct will never be permitted in this House; the antient nobility of this country will not submit to it. I have not been petulant, though others may have been insolent. The noble Earl

charges me with quibbling. I have a just right to retort on him. My distinctions were not unfair; his are paltry and evasive. He does not conduct himself with candour, nor behave himself like an honest man. The point I would wish to ascertain is,---“ Were Indians employed while he was minister? and does he mean to plead ignorance as an apology for a conduct which he has this night, and the two preceding, so highly condemned?” [It is not improper to observe, that Lord Chatham was called to order by Lord Sandwich; and that Lord Gower, who was much stronger than we have reported, was permitted to proceed.]

Earl of
Chatham.

Earl of *Chatham* again called upon Lord Amherst to declare, if he had any orders from him to employ savages.

Lord Am-
berst.

Lord *Amberst* rose with great seeming reluctance. He said, he hoped what had been drawn from him the first day of the session, would have proved satisfactory to the House. The fact was, that the French employed Indians the last war; and we followed their example; and that most certainly he should not have ventured to do so, if he had not received orders to that purpose.

Earl of
Shelburne.

Earl of *Shelburne* observed, that both accounts were perfectly reconcileable. Indians might have been employed. The noble Lord who spoke last, might have had orders to enter into treaties with and employ them; and yet the noble Earl might be fully justified in his assertion. The orders were probably conveyed to the noble Lord, who then commanded in America, through the channel of the board of trade; and not through that of the secretary of state. Indian treaties, and all the affairs relative to the superintendants for treating with the Indians, passed, while he had the honour to preside at the board, through the board of trade. It was most probably at the period alluded to; and for his part, he well recollected, he made it a point, as much as possible, to keep all the official business transacted there as much a secret as possible from the secretary of state. While he was up, he would take an opportunity of observing the savage mode which had been adopted in conducting this cruel war throughout. Cruelty and injustice were its leading features. The French officers, taken prisoners going to America, had been inhumanly treated; and as to the American prisoners in England, they were treated with the most horrid and unprecedented barbarity. If we were not generous, we should endeavour to imitate the generosity of America. It would become the humanity of

the English nation to open a subscription for their relief; whenever it was opened, he would contribute his mite.

Earl *Gower* rose again, and with equal vehemence protest-^{Earl Gower}ed, he would not be daunted by the dictatorial manner of the noble Lord: he was an honest man, and spoke like one: he did not indeed possess in an equal degree the faculty of eloquence; he could not pour forth tropes and fine words in such abundant profusion, but he possessed as good an understanding as the noble Lord: that it was the noble Lord who had recourse to mean evasions; for that connivance was certainly a tacit acquiescence in the propriety of the measure; and that being privy to their employment, and giving a public sanction to it was rather a difference in words than in things. If private characters were to be enquired into, he believed his would stand the test as well as his Lordship's; and that the imputation of variety might, with as much justice, be applied to him.

Earl of *Chatham* rose, and, with great appearance of humility, congratulated his Lordship on the goodness of his understanding; far was it from him to suppose himself a competitor in abilities with the noble Lord, who had so ingeniously affirmed, that giving an order, and not giving one, were words of synonymous signification. He added a few words relative to his own life, which he acknowledged to be various enough; and wished, that the noble Lord who then commanded in America, would put an end to the altercation, by telling the House his orders, and who he had them from.

The Duke of *Richmond* said, he was not willing to enter in-^{Duke of Richmond.} to an enquiry concerning any man's private character; but if the noble Earl's (Lord Gower) was to undergo an investigation of the kind his Lordship alluded to, he would not be free from the stigma of variety. He contended, that the order read by the noble Earl from the journals was nothing to the purpose. It was the right of war, a necessary duty created by that state, to keep our territories free from the enemy; but murdering defenceless people, or prisoners of war, was an act of a very different nature. His Grace also argued the great difference between presenting a bayonet to a man's breast in action, and torturing men, women and children with the knife and tomahawk in cold blood and in captivity. His Grace denied, that the assertion that the Americans had first employed and attempted to employ the Indians had been proved.

Earl of
Dunmore.

This called up the Earl of *Dunmore*, who asserted, that he himself had been attacked by the Indians, set on by the Americans, and that a party of them had attacked the Northern army, by whom one of them was killed.

Duke of
Richmond.

The Duke of *Richmond* said, this was no answer; he had heard indeed of a Negro and a Highlander having been tied together, but an assertion that one Indian was killed by the northern army, did not prove that the Americans employed the Indians first.

Earl of
Denbigh.

Earl of *Denbigh* attacked Lord Chatham, and called him the great oracle with the short memory, asserting, that the Indians were employed last war, that the returns of the army must have shewn it, and that as his Lordship, when in office, always contended for guidance and direction, he could not be ignorant of the matter if he had not lost his memory.

Earl of
Dunmore.

Earl of *Dunmore* rose a second time, and declared that the Virginians had used every effort to induce the Indians to join them, and that the Chiefs of one of the Indian tribes to whom they applied, had made answer, "What, shall we fight against the great King over the water, who in the last war sent such large armies, and so much money here, to defend you from the devastations of the French, and from our attacks? No; if you have so little gratitude, we will not assist so base a purpose." His Lordship added, that the Virginians, finding themselves thus disappointed, had dressed up some of their own people like Indians, with a view to terrify the forces under him; and his Lordship declared, he heartily wished more Indians were employed; that they were by no means a cruel people; that they never exercised the scalping-knife, or were guilty of a barbarity, but by way of striking terror into their enemies, and by that means putting an end to the further effusion of blood.

Duke of
Richmond.

The Duke of *Richmond* said, he wished not to employ savages, who wantonly tortured our fellow-subjects with the scalping-knife and tomohawk, and were then to be defended on the ground of having been "cruel only to be kind," or having committed murder, cold blooded murder, in order to put an end to a war in which they had no interest. His Grace again contended, that the present measures were impolitic, savage and absurd, and he heartily wished their Lordships would end a contest equally disgraceful to us as a nation, and as men of humanity.

Earl of
Dunmore.

Earl of *Dunmore* rose again to shew how much the Americans exceeded the Indians in barbarity, instancing a great

variety of circumstances (and among others the fate of Colonel Campbell) to prove that they did not even affect humanity, but were most industriously cruel, most wantonly inhumane.

The Duke of *Richmond* said, he believed there had been very dark and bloody proceedings in the scene of action alluded to by the noble Earl (Lord Dunmore) and he trusted a ray of enquiry would come, when these horrid transactions could be enquired into; and the authors meet with condign punishment, if they should be found to deserve it.

Earl of *Dunmore* replied, as far as the allusion might be meant to affect him, he was ready to submit his conduct to the most rigorous enquiry; and the sooner the better. He did not desire to procrastinate it. He had done his duty as a servant of the crown; and as to his personal conduct, he defended his enemies; for he was fully conscious of having behaved as an honest man.

Lord *Townshend* defended the measures at both periods; and much was to be trusted to whoever commanded; and insisted, that that was what must give the true complexion to the measure. If a commander or governor was instructed generally, and intrusted with undefined powers, leading to certain objects, he must consult his own feelings; and it was to be presumed, no British general would abuse his powers.

Earl of *Chatham* again called upon Lord Amherst to know, whether he had any instructions from him as secretary of state.

Lord *Amherst*. I was desired to make treaties with the Indian powers; I was charged with it in my instructions.

Earl of *Chatham* still persisted in declaring his ignorance of any such instructions; and said, he was sure, they did not pass regularly through his office, nor were ever signed by the King.

Earl of *Suffolk* endeavoured, as he said, to set the noble Earl right; for that all instructions to governors and commanders in chief necessarily came through the office of the secretary of state, and were counter-signed by the King.

Earl of *Chatham* rose finally, to beg, that Lord Amherst would favour him with a copy of the instructions sent to him in that war, which authorised him to employ savages.

Lord *Amherst* said, he would readily oblige him, with his Majesty's permission.

The previous question was put a few minutes before eleven o'clock, when the Contents that went below the bar, were 18, and the Non-Contents, that staid in the House, were 40.

Adjourned

Adjourned to December 8.

December 8.

The order of the day was the second reading of the bill for suspending the Habeas Corpus act.

Duke of
Richmond.

The Duke of *Richmond* desired that the act might be read, which being done, his Grace expressed his concern that the discussion of a subject of this important nature, should have happened in so thin a house. He said it was a business of the highest concern to the nation; a business in which the liberties of the subject were nearly interested. From the vague indeterminate mode of expression used in the act, its force extended to all orders, and to all kinds, guilty and innocent. A paltry justice might, only because he thought he had grounds of suspicion, deprive a subject of his dearest rights, imprison him, load him with irons, and all without a possibility of redress to the unfortunate sufferer. The Habeas Corpus being extinct, there was no power of justifying himself, and therefore he must lie till the term specified in the act arrive; that is, till the total conclusion of the impending war. He himself stood within its lash, and was at this time at the mercy of any little dealing magistrate; he had been last year on the high seas on a party of pleasure, and was therefore obnoxious to the letter of the act. He illustrated the disadvantages consequent on such an act, with the history of one Mr. Platt, a merchant of Georgia. This young man, while he was in that capacity, had been concerned in the unloading a vessel, that contained among other things, horses sent from England; he interested himself in this business, only from an inclination to serve the owner; and yet going soon after on his mercantile occasions to Jamaica, and having in the course of a jovial evening offended some one of the company, he was next day apprehended as a person within the cognizance of this act.—He was secured as a rebel, sent to England, and carried before Sir John Fielding, who recommitted him, without suffering him to be confronted with his accusers. All he asks, is to be brought to trial; this justice has been denied; and it is now near two years since this, perhaps, innocent person has been subject to the disgrace and inconvenience of a common prison.—His Grace said he would appeal only to the feelings of the gentlemen in administration.—He was at present an advocate for humanity, and hoped they would interest themselves for a final determination concerning this unhappy man.

Earl of
Bathurst.

The Lord Chancellor said, if ever there was an act that deserved the appellation of humanity it was this; it regarded

Ame-

America in every respect, not as a rebel country, but as a country at war. It was certainly necessary that some punishment should be inflicted on persons taken in the act of enmity against us; but what ought it to be? since it was plainly not expedient that they should be discharged, and not political, from the apprehensions of retaliation, to put them to immediate death.—What was the alternative? In his opinion the only just medium had been adopted,—that of preserving them until the final conclusion of the war, so that they might retain the power of punishing without doing it at a time when the consequences might fall upon such of our subjects as were now in a similar situation in America.

Duke of *Richmond* said, the noble Lord had not attended to the distinction which it was his intention to inculcate. He quiesced in the propriety of detention, when exercised on men *absolutely found in arms*, but that persons only *suspected* should be liable to the same severity, was the ground of his objection. He said he would move the House that returns should be made of all that had fallen under the cognizance of this act.

Earl of *Sandwich* observed, that as to the point in question, he believed he and the noble Lord nearly coincided,---namely, that all persons properly suspected of rebellion, should be subject to the terms of the act. He said he had a very different account of this Mr. Platt. He was told that he was a committee man at Georgia, and an active instrument of rebellion; that he contributed in seizing, by force, the military stores that were contained in his Majesty's ship *Philippi*; that the commander of that vessel came over to London, when he was first brought to England, to authenticate his guilt; and that it was from motives of pure delicacy, that the judges had thought proper to defer his trial.

The Duke of *Richmond* expressed a gentle resentment for his second misinterpretation of his meaning. He had never affirmed that persons, properly suspected, should be subject to the terms of the act. It was his uniform opinion, and his precise expression, that the suspected were to be discriminated from those actually found in arms.

Earl of *Suffolk* said, That in the beginning of this unhappy war, it was the current opinion of the three legislative powers of this realm, that an extraordinary privilege should be lodged in the executive part, in the King---that if it was the opinion of the House, that the present emergency is less dangerous than it was a year ago, they would doubtless revoke it as an useless act; if not, a similar necessity would certainly justify the continuation.---He said, it was called a dan-

dangerous act---let the event prove that---few had fallen under its cognizance---few had been punished in consequence of it---apprehensions, therefore, from it were groundless.

Duke of
Richmond.

Duke of *Richmond* replied, That lenity in the execution was the strongest argument against the continuation; for that tyranny became more acceptable by being gently exercised; so that when a Prince of more despotic temper had the rule, he would plead prescription, and justify arbitrary measures, even with the sanction of his Parliament, and the consent of his people.

Duke of
Manchester.

Duke of *Manchester* read a petition that he had received from Mr. Platt;---the account given there nearly coincided with that given by the Duke of Richmond; his Grace corroborated the Duke's arguments, and added, that he appealed in this instance, not only to the humanity, but the justice of administration. The bill was committed without a division.

Adjourned to December 11.

December 11.

Earl of
Oxford.

The Earl of *Oxford* moved, "That this House do adjourn to the 20th of January, 1778."

Earl of
Abingdon.

The Earl of *Abingdon*. I am just come up from the country, as I supposed, to do, with the rest of your Lordships, our business in Parliament; but I find that we are already here to day, in order to be sent about our business into the country, as if the business of Parliament was not our business, and that we were called up only to do the business of ministers. Supplies are voted, and, at this tremendous conjuncture of events, there is, it seems, no further need of the great CONSTITUTIONAL council of the nation.

But, my Lords, before I go, I will leave one word behind me; it is an important word, and its subject matter is of a very pressing nature.

My Lords, when a noble Duke, whose manly and spirited conduct against this war of slavery will ever have the testimony of my warmest applause, made his motion the other day for an enquiry into the state of the nation, his Grace said, he desired his motion might be understood as a general motion, open to every enquiry, and not simply confined to any propositions of his own; it is therefore, my Lords, under the shelter of this noble Duke's motion, that I have now a motion of my own to make, in addition to those that have been already received.

My Lords, humanity has ever been the characteristic of Englishmen; but my Lords, whether corruption has, whether our morals, changed our very feelings, or whether it has

owing to that EXOTIC influence which has so long directed our councils, or not, it is not for me to determine; but, my Lords, instead of *humanity*, our national character is now stamped with INHUMANITY; and what is worse, we have the DAMNING PROOFS before our eyes.

My Lords, I am informed, and my information is to be depended upon, that the American prisoners in this country men who are made prisoners in the glorious cause of LIBERTY, and are *nick-named* rebels, only to sanctify the rebellion of ministers against the freedom of this country) are treated with SAVAGE BARBARITY.

My Lords, I have heard some of their complaints, and they have gone to my heart. I will give you one of them in instance.

My Lords, we all know, or the Reverend Bench of Bishops will tell us so, that there are certain religious objections against inoculating for the small-pox. These objections the Americans, for the most part, have; and in proportion to the credulity of the objection, do the fears of the disease increase. It was necessary, my Lords, to premise this; now for the FACT. In one of the prisons, a prisoner was inoculated for the small-pox; and after the eruption appeared, the patient was put into a cell with five Americans, who had never had the disorder. They expressed their fears; and I do suppose, they were therefore called "COWARDS;" but this your Lordships may be assured of, that neither *fears* nor *tears*, nor *prayers*, were able to remove the *sick* from the *well*.

My Lords, if this be ABETTED, and does not meet with CONDIGN punishment, all government here is at an end, and civil society no more; for, my Lords, what is civil society, but a public combination for private protection.

My present motion, therefore, my Lords, is, "That an humble address be presented to his Majesty, requesting that he will be pleased to direct, that all orders and instructions which have been given by the officers, whose business it is, to the several gaolers, or keepers of other houses of confinement from time to time, since the commencement of hostilities, and the bringing of American prisoners to this country, down to the 1st of the present month of December, respecting the custody and treatment of the said prisoners, may be laid before this House; and that the returns which have been made to office from the said prison, of their number and deaths, together with the accounts of each article of expence, attending their confinement, may likewise be produced."

My Lords, I have made this motion, not only from feelings of humanity, but from motives of POLICY. Your

Lordships will remember, that there is such a thing as the law of RETALIATION. Whilst you are making prisoners of the Americans by *fifties* and *hundreds*, they are making prisoners of you by WHOLE ARMIES. The fate of General Burgoyne is KNOWN; and if General Howe does not again *shift his position*, his fate will be the same. My Lords, I will only add, that I hope this motion will be agreed to, and that it will be productive of good; but, my Lords, as it will be some time before it can have its effect, I must signify to your Lordships, that it is my intention, in the mean while to promote, as much as lies in me, a subscription for the relief of these unfortunate prisoners, in hopes of procuring the contribution of *every* noble Lord of this House; for, my Lords, the majority Lords, who have benefited by the American war, can afford it. Those who have not (*the Bishops*) will remember, that CHARITY COVERETH A MULTITUDE OF SINS; and as to the minority Lords,, they will be all led to it from PRINCIPLE. Thus, my Lords, I shall not despair of there being collected, at least as much money for those HONEST WHIGS, as was procured for those *Tory priests* who, for attempting to undermine the liberties of America were driven out of THAT country, and are, perhaps for the same purposes, now pensioned in THIS.

Lord
Dudley.

Just as the Lord *Chancellor* was beginning to read, Lord Abingdon's motion, Lord *Dudley* rose and begged to say a few words to order. His Lordship observed, that according to established form, the House having before them the motion for adjournment, they could not in regularity either hear or read or debate upon any other motion, 'till that was got rid of, either by being withdrawn, or being carried; if the latter the noble Earl's motion must necessarily drop 'till the meeting after the holidays.

Earl of
Abingdon.

This brought on a short altercation with respect to parliamentary forms; during which the Earl of *Abingdon* complained of *jockeyship*, declaring that he was upon his legs as soon as the noble Earl who moved for adjournment, and that therefore his motion could not be attended to on account of the noble Earl's having been read first, or because the noble Earl might not be willing to withdraw his motion, which would have had full an effect if moved subsequent to his, he should conclude that an unfair advantage had been taken of his inexperience in points of order.

Earl of
Effingham.

Earl of *Effingham* observed, that it was very extraordinary their Lordships should be so scrupulously punctilious and

se about order, when the violation of it would be so trifling, after having but the day before, in the most gross and barefaced manner, broke through all parliamentary form, in respect to a matter which highly called for the most serious and deliberate attention of Parliament: His Lordship said, the matter he alluded to was the suspension of the *Habeas Corpus* act, a bill on which the liberties of Englishmen essentially depended. This bill, his Lordship declared he meant to have opposed, as injurious to freedom, and dangerous to the constitution. He came down to the House with that view, and, to his astonishment, found it entered on the books; that the bill had been read a second time, referred to a Committee, reported, read a third time, and passed all in *one* day, in defiance of an express standing order of the House.

The Duke of *Richmond* rose next, and remarked, that nothing was more certain than that two motions could not be before the House at one and the same time. The motion of adjournment was made first, and must, if the noble Earl persisted in keeping to it, be the only motion debated; but he begged their Lordships to consider, that the honour of the House was at stake, their character for decency and candour, was involved in the present embarrassment. The noble Earl's [Lord Abingdon] motion went to a very important object, an object of too serious a nature to be thus swept away by a motion for adjournment. Was that the case, his Grace said, the noble Earl might well complain of jockeyship; it was certainly taking an unfair and an unprecedented advantage, an advantage which it was beneath the dignity of their Lordships to seize, or suffer to be taken. If the motion of the noble Earl was disagreeable and improper, the fair line of conduct would be, to withdraw the motion for adjournment, and either to debate the noble Earl's motion, and carry it by a majority, or to move the previous question upon it. These, the Duke declared, would be parliamentary modes of treating it; but to put an end to it, by carrying the motion for adjournment, would be to act in a manner highly unbecoming their Lordships.

Lord *Dudley* rose to reply, disclaiming the application of the word jockeyship, as used by the noble Duke, and declaring that he had no other view in speaking to order, but for the preservation of those forms necessary for the dispatch of business, and the regularity of parliamentary proceedings.

Earl of *Suffolk* having read the intended motion, informed the House, that he had not the least objection to it, and if,

for the sake of getting on with the business of the day, their Lordships would admit of a small irregularity, and the noble Earl would be satisfied, he would pledge himself to lay before the House, on the day appointed for "an enquiry into the state of the nation" the papers sought by the present motion.

Earl of
Chatham.

Earl of *Chatham* acknowledged, that he was not very intimately acquainted with the particular forms of the House; yet he could not but see, that they were like to violate all the rules of parliamentary form, if they admitted a minister's promise to be a full compliance with the orders of that House. With regard to the noble Earl's motion, he said they had certainly entangled themselves a little, respecting the mode of receiving it; nevertheless, were the offer made by the noble Earl in office [Lord Suffolk] accepted of, it would indeed overturn all order substantially, and would create a precedent, which might, at some future period, prove exceedingly dangerous, and produce much worse consequences than could be involved in the fate of the question either way.—If ministers were to substitute vague, parole promises for parliamentary documents, there would be an end of the constitutional controul of that House; ministers would be no longer responsible; they would be at liberty at all times to excuse themselves, by saying, that they promised what was not in their power, or what they ought not to have promised. On these grounds, to steer clear of the difficulties on either hand, his Lordship advised, that the motion of adjournment should be withdrawn; that his noble friend's motion should be received, which, when disposed of, would leave the noble Earl [Lord Oxford] at liberty to repeat the original motion of adjournment.

Earl of
Suffolk.

Earl of *Suffolk* denied, that he had any such intention as that imputed to him by the noble Earl, who spoke last. He only offered to pledge his word to produce the papers called for, merely to get rid of the dilemma which the claims of the two noble Lords seemed to have brought the House into; this being his only motive, he entirely approved of the proposed expedient; and cheerfully consented to accede to the noble Earl's proposition.

The Earl of Abingdon's motion being read by the Chancellor, and agreed to.

Earl of
Oxford.

The Earl of *Oxford* made his motion to adjourn to the 20th of January, 1778.

The Earl of *Chatham* said, It is not with less grief than astonishment, I hear the motion now made by the noble Earl, at a time when the affairs of this country present on every side prospects full of awe, terror and impending danger; when, I will be bold to say, events of a most alarming tendency, little expected or foreseen, will shortly happen; when a cloud, that may crush this nation, and bury it in destruction for ever, is ready to burst and overwhelm us in ruin. At so tremendous a season, it does not become your Lordships, the great hereditary council of the nation, to neglect your duty; to retire from your country seats for six weeks, in quest of joy and merriment, while the real state of public affairs call for grief, mourning and lamentation; at least, for the fullest exertions of your wisdom. It is your duty, my Lords, as the grand hereditary council of the nation, to advise your sovereign; to be the protectors of your country; to feel your own weight and authority. As hereditary counsellors, as members of this house, you stand between the crown and the people; you are nearer the throne than the other branch of the legislature, it is your duty to surround and protect, to counsel and supplicate it; you hold the balance, your duty is to see that the weights are properly poised, that the balance remains even, that neither may encroach on the other; and that the executive power may be prevented, by an unconstitutional exertion of even constitutional authority, from bringing the nation to destruction. My Lords, I fear we are arrived at the very brink of that state; and I am persuaded, that nothing short of a spirited interposition on your part, in giving speedy and wholesome advice to your sovereign, can prevent the people from feeling beyond remedy the full effects of that ruin which ministers have brought upon us. These are the calamitous circumstances ministers have been the cause of; and shall we, in such a state of things, when every moment teems with events productive of the most fatal narratives; shall we trust, during an adjournment of six weeks, to those men who have brought those calamities upon us; when perhaps our utter overthrow is plotting, nay ripe for execution, without almost possibility of prevention? Ten thousand brave men have fallen victims to ignorance and rashness. The only army you have in America may, by this time, be no more. This very nation remains no longer safe than its enemies think proper to permit. I do not augur ill. Events of a most critical nature may take place before our next meeting. Will your Lordships then, in such a state of things, trust to the guidance

Earl of
Chatham

guidance of men, who in every single step of this cruel, this wicked war, from the very beginning, have proved themselves weak, ignorant and mistaken? I will not say, my Lords, nor do I mean any thing personal, or that they have brought premeditated ruin on this country. I will not suppose that they foresaw what has since happened; but I do contend, my Lords, that their guilt (I will not suppose it guilt) but their want of wisdom, their incapacity, their temerity in depending on their own judgment, or their base compliances with the orders and dictates of others, perhaps caused by the influence of one or two individuals, have rendered them totally unworthy of your Lordship's confidence, of the confidence of Parliament, and those whose rights they are the constitutional guardians of, the people at large. A remonstrance, my Lords, should be carried to the throne. The King has been deluded by his ministers. They have been imposed upon by false information, or have, from motives best known to themselves, given apparent credit to what they were convinced in their hearts was untrue. The nation has been betrayed into the ruinous measure of an American war by the arts of imposition, by their own credulity, through the means of false hopes, false pride and promised advantages, of the most romantic and improbable nature. My Lords, I do not wish to call your attention entirely to that point. I would fairly appeal to your own sentiments, whether I can be justly charged with arrogance or presumption, if I said, great and able as ministers think themselves, that all the wisdom of the nation is confined to the narrow circle of the petty cabinet. I might, I think without presumption, say, that your Lordships, as one of the branches of the legislature, may be supposed as capable of advising your sovereign, in the moment of difficulty and danger, as any lesser council, composed of a fewer number; and who, being already so fatally trusted, have betrayed a want of honesty, or a want of talents. Is it, my Lords, within the utmost stretch of the most sanguine expectation, that the same men who have plunged you into your present perilous and calamitous situation, are the proper persons to rescue you from it? No, my Lords, such an expectation would be preposterous and absurd. I say, my Lords, you are now specially called upon to interpose. It is your duty to forego every call of business and pleasure; to give up your whole time to enquire into past misconduct; to provide remedies for the present; to prevent future evils; to *rest on your arms*, if I may use the expression, to watch for the public

public safety; to defend and support the throne; and if fate should so ordain it, to fall with becoming fortitude, with the rest of your fellow-subjects in the general ruin. I fear this must be the event of this mad, unjust and cruel war. It is your Lordships' duty to do every thing in your power that it shall not; but, if it must be so, I trust your Lordships and the nation will fall gloriously.

My Lords, as the first and most immediate object of your enquiry, I would recommend to you to consider the true state of our home-defence. We have heard much from a noble Lord in this House, of the state of our navy. I cannot give an implicit belief to all I have heard on that important subject. I still retain my former opinion relative to the number of line-of-battle ships; but as an enquiry into the real state of the navy is destined to be the subject of future consideration, I do not wish to hear more about it, till that period arrives. I allow in argument, that we have thirty-five ships of the line fit for actual service. I doubt much whether such a force would give us a full command of the channel. I am certain, if it did, every other part of our possessions must lie naked and defenceless, in every quarter of the globe. I fear our utter destruction is at hand—[Here and in many other parts of his speech, his Lordship broadly hinted, that the House of Bourbon was meditating some important and decisive blow near home.] What, my Lords, is the state of our military defence? I would not wish to expose our present weakness; but weak as we are, if this war should be continued, as the public declaration of persons in high confidence with their Sovereign would induce us to suppose, is this nation to be entirely stripped? and if it should, would every soldier now in Britain be sufficient to give us an equality to the force in America? I will maintain they would not; where then will men be procured? Recruits are not to be had in this country. Germany will give no more. I have read in the news-papers of this day, and I have reason to believe it to be true, that the head of the Germanic body has renounced against it, and has taken measures accordingly to prevent it. Ministers have, I hear, applied to the Swiss Cantons. The idea is preposterous! The Swiss never permit their troops to go beyond sea. But, my Lords, if even men were to be procured in Germany, how will you march them to the water-side? Have not our ministers applied for the port of Embden, and has not it been refused? I say, you will not be able to procure men even for your home-defence,

if

if some immediate steps be not taken. I remember during the last war, it was thought advisable to levy independent companies; they were, when compleated, formed into battalions, and proved of great service. I love the army; I know its use; but I must nevertheless own, that I was a great friend to the measure of establishing a national militia. I remember the last war, that there were three camps formed of three corps, at once in this kingdom. I saw them myself; one at Winchester; another in the West, at Plymouth; and a third, if I recollect right, at Chatham. [Told he was right] Whether the militia is at present in such a state as to answer the valuable purposes it did then, or is capable of being rendered so, I will not pretend to say; but I see no reason, when in such a critical state of affairs, the experiment should not be made; and why it may not be put again on the former respectable footing. I remember, all circumstances considered, when appearances were not nearly so melancholy and alarming as they are, that there were more troops in the county of Kent alone, for the defence of the kingdom, than there are now in the whole island.

My Lords, I contend, that we have not, nor can procure any force sufficient to subdue America. It is monstrous to think of it. There are several noble Lords present, well acquainted with military affairs. I call upon any one of them to rise and pledge himself, that the military force now within the kingdom is adequate to its defence, or that any possible force to be procured from Germany, Switzerland, or elsewhere, will be equal to the conquest of America. I am not perfectly persuaded of their abilities and integrity, to expect any such assurance from them.---Oh! but if America is not to be conquered, she may be treated with. Conciliation is at length thought of; terms are to be offered. Who are the persons that are to treat on the part of this afflicted and deluded country? The very men who have been the authors of our misfortunes: the very men who have endeavoured, by the most pernicious policy, the highest injustice and oppression, the most cruel and devastating war, to enslave the people they would conciliate, to gain the confidence and affection of those who have survived the Indian tomohawk and German bayonet. Can your Lordships entertain the most distant prospect of success from such a treaty and such negotiators? No, my Lords, the Americans have virtue, and they must detest the principles of such men; they have understanding, and too much wisdom, to trust to the cunning

and narrow politics which must cause such overtures on the part of the merciless persecutors. My Lords, I maintain, that they would shun, with a mixture of prudence and detestation, any proposition coming from that quarter. They would receive terms from such men, as snares to allure and betray. They would dread them as ropes meant to be put about their legs, in order to entangle and overthrow them in certain ruin.

My Lords, supposing that our domestic danger, if at all, is distant; that our enemies will leave us at liberty to prosecute this war to the utmost of our ability; suppose your Lordships should grant a fleet one day, an army another; all else, I do affirm, will avail nothing, unless you accompany with advice. Ministers have been in error; experience proved it; and what is worse, they continue in it. They told you in the beginning, that 15,000 men would traverse America, without scarcely an appearance of interruption; two campaigns have passed since they gave us this assurance. That number has been employed; and one of your armies, which composed two-thirds of the force by which America was to be subdued, has been totally destroyed, and is now led captive through those provinces you call rebellious. Those men, whom you called cowards, poltroons, runaways and knaves are become victorious over your veteran troops; in the midst of victory, and flush of conquest, have set ministers an example of moderation and magnanimity well worthy imitation.

My Lords, no time should be lost which may promise to prove this disposition in America; unless, by an obstinacy founded in madness, we wish to stifle those embers of affection which, after all our savage treatment, do not seem as yet to have been entirely extinguished. While on one side we must lament the unhappy fate of that spirited officer, Mr. Burgoyne, and the gallant troops under his command, who were sacrificed to the wanton temerity and ignorance of ministers, we are as strongly compelled on the other to admire and applaud the generous, magnanimous conduct, the noble friendship, brotherly affection and humanity of the victors, who descending to impute the horrid orders of massacre and devastation to their true authors, supposed that, as soldiers and Englishmen, those cruel excesses could not have originated in the General, nor were consonant to the brave and humane spirit of a British soldier, if not compelled to it as an act of duty. They traced the first cause of those diabolic orders to their true source; and, by that wise and generous

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interpretation, granted their professed destroyers terms of capitulation which they could be only intitled to as the makers of fair and honourable war.

My Lords, I should not have presumed to trouble you, if the tremendous state of this nation did not, in my opinion make it necessary. Such as I have this day described it to be I do maintain it is. The same measures are still persisted in by the Ministers, because your Lordships have been deluded, deceived and misled, presume, that whenever the worst comes they will be enabled to shelter themselves behind Parliament. This, my Lords, cannot be the case: they have committed themselves and their measures to the fate of war, and they must abide the issue. I tremble for this country; I am almost led to despair that we shall ever be able to extricate ourselves. Whether or not, the day of retribution is at hand, when the vengeance of a much injured and afflicted people will, I trust, fall heavily on the authors of their ruin, and I am strongly inclined to believe, that before the day on which the proposed adjournment shall arrive, the noble Earl who moved it, will have just cause to repent of his motion.

Lord
Osborne.

Lord *Osborne* [Marquis of Carmarthen] begged leave to differ from the noble Earl. He said, there was too much truth in what was now advanced, he feared, not to fill the breast of every noble Lord present with a proper sense of the calamitous situation. He said, the motion for adjournment was the usual motion at this season of the year; nor could he see what possible good purpose it would answer to keep the Lordships in town by short adjournments; because no immediate measures could be taken without the concurrence of the other House. This House formed but one branch of the legislature; nor did he think it would at all be proper to take any lead, but what the constitution assigned. His Lordship supposed, that none of their Lordships wished to get out of town, to enjoy during the Christmas scenes of festivity; on the contrary, if what was generally understood, that measures of great moment were to be taken under consideration soon after the recess, he thought that the closet, not an festive attendance merely to adjourn, would be the proper scene for their Lordships during that period. In the close of their Lordships, abstracted from every extrinsic consideration, would have an opportunity and leisure to consider of the real situation of affairs, and be enabled to decide on the most feasible and promising means of extricating us from our present difficulties. He could not determine what truth was in the report of the defeat of Mr. Burgoyne, whether the dis-

as true or false; different opinions were entertained on the subject; but supposing the transaction to be exactly as stated by the noble Earl, in his opinion, all circumstances considered, that affair would be better explained by the General himself, and better understood by their Lordships, so as to be enabled to form an opinion upon it. He had still a stronger objection to enter into any discussion relative to the causes of that gentleman's miscarriage; and that was, that probably the General, by being captive, might be furnished with the means of striking on some ground of treaty, which might be acceptable to both parties. Many instances were recorded in history, where captive generals have learned something material relative to the ultimate objects of their adversaries; when both sides being inclined to make concessions, matters being thus previously understood, the contest has terminated in an amicable treaty, and finally ended in peace.

The Duke of *Manchester* answered the last noble Lord on the propriety of adjourning the Parliament, on purpose to give their Lordships time in their closets to consider of the state of this country, and of the most effectual measures to bring about a conciliation between Great Britain and America. He said, in his opinion it was but little better than a mere pretence for procrastination. How was it possible that any noble Lord could decide on a plan yet in embryo? How could they turn their thoughts upon measures to be pursued, while they were totally kept in the dark respecting them, and ignorant of that species of information, which would only enable them to deliberate with propriety, or determine with judgment.

His Grace was very full on the subject of the militia. He said it was with him at one time a very favourite service. He had paid it a great deal of attention; but experience had convinced him, that he was mistaken. Some persons were advanced in rank without being legally qualified; others were denied rank, though intitled to it by service and fortune. Men were made officers contrary to the literal and substantial provisions of the act; in short, the intention of the legislature in this constitutional law was so often and so shamefully departed from, that in the present state of the militia, he confessed he had but a very poor opinion of it, in the light of a national defence. He had expended several considerable sums of money to put that part of it, immediately under his own inspection, upon a respectable footing, but found himself greatly disappointed; and those sums, he was not ashamed to acknowledge, were drawn from a fortune far from being ample.

His Grace desired to know what the overthrow of the army under Mr. Burgoyne had to do with his arrival? The Lords were not to hold a court-martial on his conduct. It was sufficient that the surrender had happened, to excite the enquiry of Parliament.

His Grace hoped that before the adjournment, ministry would at least have suffered their Lordships to have gone home, enabled, in some degree, to judge of the propriety of the measures intended to be pursued, in order to retrieve the honour of the nation, by allowing them that kind of information which would give them a proper knowledge of the real state of public affairs; as, however, his hopes had proved vain, he could not but lament the wretched fate of this country, and deplore with the noble Earl, that although its danger became daily more and more imminent, ministry were so shamefully inattentive to its necessary protection.

His Grace adverted to the impracticability of raising men for the service of the war; repeating, that the resources from Germany either were at an end, or so clogged with difficulties as to be but little advantageous, and that Switzerland, when she assisted her antient and natural ally, the French, always stipulated, that her troops should not be marched within a certain distance of the sea, and that they should be within the power of a recall home at a limited period. Russia was depended on by administration, they looked where their expectation could not be answered; Russia, he was well informed, was on the eve of a fresh rupture with the Porte; and notwithstanding her successes in the late war with the Ottoman empire, she found herself so much drained at the end of that war, that she was obliged to recruit her forces immediately.

Having dwelt for a considerable time, on the improbability of procuring men from other powers, he next proceeded to shew, the impracticability of recruiting in Great Britain, so as to answer the purposes of prosecuting the war in America. Recruits would not, if sent in great numbers, or beyond the usual proportion of recruits to veterans, constitute such an army as could be properly depended on; which, with the reasons already assigned respecting the militia, put it beyond question, that let us stretch our internal resources of men and money to the very utmost, we should not be able, to meet the Americans in the field, upon equal terms at the opening of the next campaign. His Grace concluded with lamenting the fate of Mr. Burgoyne, whom he looked upon as extremely ill-treated, by those who committed

in the execution of an expedition, equally mad, impracticable, and absurd,

Earl of *Suffolk* said, that whatever measures he sup-^{Earl of Suffolk.}ported in Parliament, or advised his sovereign in another place to adopt, were, to the best of his abilities, intended to serve his country. He had acted as a member of that House,

with freedom, such as became his situation; when called upon in another capacity, he gave his opinion like an honest man. He might be mistaken, or might be in error; but whether or no, he was confident he had all along acted upon the purest principles of regard for his country. He observed,

that the noble Earl recommended short adjournments, merely for the purpose of giving advice to His Majesty. He

could not perceive what possible good could accrue from such a conduct. That House was not competent to recom-

mend any specific measures; they should have the approbation of the whole legislature. Whether for peace, or war,

the measures respecting America hitherto had been sanctioned by Parliament; and he presumed, to give them efficacy,

would be necessary to continue to give them the same sanction to the end. One House of Parliament could not pre-

tend to determine for the other; therefore, in that view, the noble Earl's objection to the propriety of the present

motion of adjournment fell to the ground. It had been shown out in a former debate, and had been again repeated

this night, that ministers wanted to screen themselves behind Parliament.---Parliament did this; Parliament did that.---

As one of the number, he disclaimed any such subterfuge, it had been termed. He believed Parliament heartily ap-

proved of the measures ministers proposed; he was certain the people saw the necessity of them; whenever either one

or the other should think proper to change their opinion, he was ready to acquiesce; but in so doing, he would not be

understood that he sought thereby any personal indemnity. He wished to have his conduct enquired into. He acted

fairly and openly; he desired no more than to have his conduct as fairly and openly enquired into.

As to America, it was asserted, would never treat with persons who, according to the language of the noble Earl, had en-

deavoured to oppress and enslave them; but he presumed, whenever the time of treaty or negotiation should arrive,

that the noble Earl would find himself mistaken. His Lordship had described the people of America as full of wisdom

and good sense; he doubted not they would, on cool reflection, know to discriminate between those who all along en-

deavoured

deavoured to fill them with false fears, and inflame the resentments of America, which had been created by those pretended fears and factious harangues, from men who were engaged in defending the rights of the empire, which had been committed to their charge. On the other hand, he was convinced, that the public here had judgment enough not to trust their dearest interests to those who had, from the beginning, been solicitous to throw every possible impediment in the way of Government; and who, of course, had assisted all in their power to cause those very difficulties they now affect so much to lament. He did not wonder, that some noble Lords in that House wished for opportunities to advise his Majesty; but he could tell those Lords, that their advice would not be called for; they might give it in Parliament, but not where else.

On the subject of the difficulty of procuring foreign levies, he heard it asserted with great confidence, that Switzerland, Holstein and Denmark had been applied to for troops; and, on a former debate, Sweden. He protested, if those powers had been applied to, it was without his knowledge; consequently, he was free to say, they were not; nor if they had, would they, he believed, have all refused. It was true, difficulties had arisen the last year relative to the foreign troops; so they had this; but as, on the former occasion, they were removed, so he flattered himself they would on the present. The noble Earl had recommended home levies, as supposing no other were to be had. He did assure the noble Earl, that Great-Britain was not destitute of foreign resources; but if it were, it had resources within itself. The spirit of loyalty and sound patriotism, whatever endeavours had been made to damp it, was not extinguished. He had, within the last forty-eight hours, received offers of an important nature, without application or solicitation, from several parts of the kingdom, every corner of which was both able and ready to give aid; and he had strong reasons to believe, that they would be followed by many more of the same kind.

It was recommended by the noble Earl, who first opposed the motion, to keep that House sitting the whole recess, by short adjournments, to be at hand in case of any important event; to advise his Majesty, because, said his Lordship, the King and people have been misled and deceived. That the King and the people best knew---and, without they were each of opinion, that the cabinet had counselled insincerely and erroneously, this argument of his Lordship's was entirely invalid. If they adjourned, it was not therefore to be

plied, that they went to revel in scenes of pleasure, which, through the privilege of the season, were peculiar only to more fortunate periods. They retired to deliberate, not to feast; to weigh materially future measures, and not to indolence. He could not reconcile the inconsistencies in the noble Earl's conduct and declarations: he himself had authorised, with his sanction, enquiries that were to be made on the 2d of February, and now he wished to fill the interval up with business of another and less important nature. The noble Earl had approached Parliament with being the secret concealment of ministers, the screen behind which they had always hitherto sheltered themselves; for his own part, he despised the resource, and when a public enquiry should be made, he would trust his own personal exculpation to the justice of the House, and the justice of the people. He did not condemn men for wishing to administer their council in Parliament, who would have no other opportunity of doing it any where else; but till better proofs could be had of the want of ability and integrity of administration than had been offered to-day, he should, as one of the number, look upon himself intitled to a share of the confidence they had hitherto experienced; a confidence further strengthened by the approbation of the sovereign, and a very great majority of the nation, both in and out of Parliament.

The present motion was no novelty; it was a motion common to the season, with this difference, that it came a few days earlier than usual; because the great and necessary business of Parliament had been sooner dispatched. That there was no doubt public affairs were in a very critical state, and he heartily lamented that they were so; but he did not see any necessity for their Lordships sitting during the holidays. That the recess was not designed, as the noble Earl who spoke first in the debate had mentioned, for festivity or merriment. That the King's servants in particular would be fully employed during the interval.

His Lordship concluded his speech, which was spoken in great warmth, with declaring, that the conduct of a *vagrant* Congress, a Congress which no person at home knew where it had run to, was not to be held up as an object of example to their Lordships; the Earl added, that the spirit of a great nation was not to be broken by a single misfortune; that the spirit of this country would, he doubted not, be roused by Mr. Burgoyne's accident; that government itself would prepare to prosecute the war with vigour, that the King's servants, however, would, in the recess of Parliament,

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consider of what terms of conciliation were proper to be held out to America, and that at a proper time they would not fail to offer those terms.

Duke of
Richmond.

The Duke of *Richmond* replied to Lord Suffolk, attacking the Earl upon his declarations of ingenuoufness, and his disclaiming any desire to skreen himself behind Parliament. His Grace urged the noble Earl to keep his word, and say at once, and like an honest man, what he would advise as a proper measure to extricate us from our present disgrace and difficulty. He next attacked him for having said that the councils of those Lords who thought differently from the King's servants, would never be asked respecting the present state of affairs. He said, it was the height of presumption for any minister to hold such language in that House. That it was but an ill compliment to the noble Earl, through whose exertions, during the last war, the glory of this country had been raised so high, to tell him his opinion was of no weight. That his Majesty had certainly a right to chuse his servants, but for one of those servants to forerun the King's prerogative, and say before their Lordships, who his Majesty would or would not employ, was at once indecent and unparliamentary.

His Grace bid the noble Earl remember, that he had but a few days since said, that he would give their Lordships every instruction and official paper relative to Mr. Burgoyne, as soon as that officer should arrive, and the time for enquiry was ripe enough. How could the noble Earl keep his promise, if the present motion was carried? Was it not a scandalous trick, a mere device, to save his word, and yet avoid the enquiry, an enquiry of infinite importance to the nation; it was, to advert to the phrase he had in the prior debate adopted, mere jockeyship: a piece of parliamentary jockeyship!

Having with great severity animadverted on this part of the Earl of Suffolk's speech, his Grace arraigned the cabinet as materially inadequate to the purpose of planning, or undertaking such a war as the present, because there was not one military man in the council. The want of a military head to that body, his Grace said, had been apparent throughout the whole business, and it was madness to pursue it, unless some officer of experience was admitted into the council, and would make himself answerable for the consequences.

With regard to what the noble Marquis had thrown out relative to the other House being adjourned. Were the members of that assembly to guide the conduct of their Lordships?

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Were they to become the---he had almost said---the school-masters of that House? He hoped their Lordships saw their own importance too properly, and felt for their dignity too much, to look for example further than as their consciences directed.

The noble Marquis had laid a stress on General Burgoyne's coming home charged with some treaty, the Duke remarked, that if what the Gazette and the newspapers had said was true, respecting that officer's publications in America, he did not imagine the Americans would be much inclined to treat with him, or hold friendly parley with a man who had in such extravagant terms threatened death and desolation to all who opposed him.

His Grace mentioned the articles of capitulation having been published, and after dwelling for some time on their tendency, questioned the Lords in office pretty closely as to what they meant by proper terms of conciliation, and when they considered it a proper time to offer these terms, if the present moment was not that time. His Grace went over the ground of the old endeavour to treat on Staten Island, when the three commissioners from the Congress insisted on their being considered as the deputies of independent states as a preliminary, and in consequence of that preliminary being refused, the whole attempt to treat proved abortive. His Grace asked their Lordships if the thirteen colonies were not at this instant independent states, urged the standing out against that as a ridiculous and dangerous punctilio, giving it as his opinion that no terms whatever would be accepted by America, unless her independency was made the ground-work of the treaty.

As to the advice most worthy of the attention of the throne, was reducible to the following alternative. Were it better that the King should still be advised by those who had hitherto grossly deceived him, or by the lords in Parliament, from whom he might hear the truth? Those who contended that the same sort of advice should continue to influence the sovereign, contended in reality that error should prevail. The cabinet counsellors had evinced their insufficiency in various instances. A supply of wisdom was wanting. And should any minister in that House dare to point out any Lord whose advice his Majesty will not receive? The minister was guilty of the greatest presumption for holding such a language. Could he venture to suggest that he had advised his Majesty to reject the council of any noble Lord? The minister could not venture this. It would be a species of effrontery for which he should be called to an account. If then it would be

an insult to Parliament to proscribe the advice of any noble Lord, who so proper to give advice in this critical conjuncture of affairs, as the illustrious Earl, who had already been the saviour of his country, and who had illuminated the political hemisphere with the rays of England's glory.

As to the state of the nation, the Lords would in time be possessed of the papers necessary to discover it. Thus much only was applicable to the present purpose. The militia afforded but a weak defence; and as to the handsome offer which had been boasted by one of the ministers, it would prove only a broken reed in the hour of extremity. On the sharp point of hope, confidence would expire. To what had the independent companies formerly raised by noblemen amounted? To only ten battalions, about 7000 men. They were raised when the general ardor of the people was at the highest, when men were unanimous in their opinions. Was this the case at present? Let the expedient be tried in order to discover the multiplicity of dissentient voices.

But admitting that we could raise 7000 men, such a number would not be adequate to our losses. From 55,000 men the army in America had been reduced to 25,000. A most calamitous reduction! and such as would require more handsome offers than any which government would receive, to re-instate the loss.

Terms of accommodation had been hinted as necessary to be offered at a proper season. Of what nature were the terms? and when was the proper season? The noble Lord in office [Suffolk] had affected a shew of candour. Why did not his actions and his words agree? Why did he not speak out as a man? He had disclaimed the idea of screening himself behind Parliament, it was equally mean to screen himself behind the veil of jesuitical secrecy. The noble Lord had talked in an high strain of bombast about the mighty supremacy and the fundamental rights of this country. The hour of defeat was not the time for such language. The question was not what we wished to do in the spirit of conquest; but what we were able to do by an exertion of strength. Could we conquer America? We could not. We had failed miserably in the attempt. To talk therefore of a proper season, now was the time, before we experienced greater calamities. We had formerly claimed supremacy over Scotland by as valid a right of conquest as that by which we claimed supremacy over America; yet this chimerical claim had been waved, and an union had taken place. If we would treat with America, we could do it only by waving all claims of supremacy.

premacry, by giving up what in the high-flown spirit of Quixotism ministers had termed the fundamental rights of this country; we must treat with the colonies as independent. A federal union with America was the utmost that could be expected. Before we could regain America, we must reconquer it. The fate of Mr. Burgoyne had evinced the folly of attempting a conquest. If conquest were impracticable, the independence of America had been already secured. Was there any one of the ministers who would say, that America was at this moment in a dependent state? As soon as the colonies had been declared to be out of the peace of the King, they had formed a plan of government. Protection being denied, the law of self-preservation became the rule of duty; a mode of government founded on the principles of self-preservation took place, and continued in efficacy ever since; the colonies at this moment were independent; we must bring them back by conquest to a dependent state. That measure we had already tried and it had been found to be impracticable. The only measure that remained was to negotiate a peace with America on these terms; admitting her independence, and forming such an alliance, or federal union, as should be for the mutual interests of both countries.

Lord *Weymouth* replied to the noble Duke who spoke last Lord *Weymouth*. and endeavoured to justify the noble Earl respecting what he had said about the opinions of the Lords who opposed the motion, which the Duke had applied as if the Earl meant to say, that his Majesty would not ask the opinion of those Lords in general who were against the motion, and, in particular, that the opinion of the noble Earl [Lord Chatham] would not be asked. The Viscount declared he understood the noble Lord very differently, and that he was sure no particular application of his words was meant when he uttered them.

In answer to what the noble Duke had declared respecting General Burgoyne's misfortune, and the articles of capitulation; with regard to the former, his Lordship said he was heartily sorry he was forced to believe it, although a proper state of that affair had not reached government; with regard to the latter, he had indeed seen them in the newspaper, but could the noble Duke think their Lordships warranted in proceeding to adopt any measure of importance upon so slight ground as newspaper authority? He conceived they would be of a different opinion; that they would join with him in holding it incumbent on that House to have the best information, and the best grounds for its conduct.

Some of the noble Lords who had spoken in the debate had condemned the adjournment---all the Lords, however, who had been anxious for an enquiry into the state of the nation, were not, he observed, of the same opinion; a noble and learned Lord [Lord Camden] whose sentiments were always ably delivered, and much attended to, and a noble Duke [Duke of Grafton] who had offered some of the motions for the various papers to be laid before the House on the 2d of February, had adjourned themselves before the present day. The Viscount concluded with declaring that his voice and heart were both for peace, as soon as it could be made on terms which would neither insult the honour, nor injure the interests of the nation.

Earl of
Shelburne.

Earl of *Shelburne* replied to the noble Earl in office [Lord Suffolk] and reprehended him in strong terms for his presumption (his word) in saying, that the King would never call to his counsels those who opposed the measures now carrying on against America, or those who differed from his present servants. He contended, this was not a language befitting the mouth of any minister, or any man, be his situation ever so high. The constitution reprobated the idea; it was saying, in so many words, that the most able and honest men were not to be employed and trusted with the executive power, though contrary to the sense and interests of the nation. This government was a popular government, and in some, and many situations, left the option with the nation at large. He could not therefore conceive how the noble Earl could pretend to controul public opinion, so far as to predict what persons were or were not proper to or would be employed. Such language was indecent, unparliamentary, unjustifiable and unconstitutional. The public were deeply interested in the choice of ministers; their dearest interests, their very existence, was, and must ever be, as long as the present constitution lasts, committed to their charge. They ought to know whom they employed; they ought to be satisfied of their ability and integrity; and if they should be found wanting in both or either, I trust, said his Lordship, they will exercise their inherent right, that of ministerial election. The public, in and out of Parliament, are warranted in insisting, that weak or wicked men shall not be employed. The present administration come under that description; they are ignorant, inconsistent, sanguinary, and every way incapable and unfit for their stations; and shall these very men, full of blind confidence and temerity, not

ly wish to ruin the nation, but in such independent terms answer for their sovereign, and impute sentiments to him totally unbecoming his station, and directly repugnant to the duty the constitution has prescribed to him?

His Lordship then entered into a view of the absurd conduct of the war. General Howe is sent into the Jerseys, to attack Mr. Washington in the face, and then turn his back upon him. Mr. Burgoyne is directed to march to New-York, or to effect a junction with Mr. Howe. Mr. Howe goes aboard his ships, and after beating to the southward, gets on the other side of Philadelphia. In the mean time Mr. Burgoyne is surrounded by the Provincials, and applies for succour to General Clinton. Mr. Clinton is in the very act of complying with the request, when he receives an order from Mr. Howe, for a reinforcement of 4000 men, to defend himself in his redoubts, in the neighbourhood of Philadelphia. What is the effect of this? Burgoyne is surrounded, and taken prisoner, with his whole army. Clinton is weakened so much as probably to share the same fate, or at least the detachment from his army under the command of General Vaughan is. New-York and Rhode-Island of course become in the most imminent danger; and the Provincials, on every side victorious, flock to the standard of Mr. Washington, who, by the aid of this additional force, either takes Mr. Howe and his army prisoners, or compels them to go aboard their vessels, and take shelter in New-York or Great Britain. This, my Lords, is the general state of our military situation, according to the latest accounts; and such is it in my opinion, that if I do not hear full and sufficient reasons for his extraordinary conduct, that I protest I think Mr. Howe should deserve to be brought home in chains. His Lordship moved in the strongest terms, the bad conduct of the war; the fatal consequences of which had even already been of such a nature, that the nation ought to have justice by a public trial and execution of the party really blameable; adding, that if the minister could make it appear, that General Howe and General Clinton disobeyed orders, they ought instantly both to be put in irons, and sent home to be tried for their lives; if, on the other hand, it turned out to be the fault of the minister, that minister should be forthwith seized, tried and executed; indeed nothing ought to be held a palliation of his guilt, or soften the severity of his punishment, but a frank and full declaration who it was advised him to take a part, or recommended him to the service of his sovereign at such a critical

critical juncture, and of such importance to his country, of which he was so ill qualified, to discharge the duties.

He wished not more than any of his colleagues in opposition, to obtrude himself into office. The man who would enter unsolicited into the service of a person, deserved to have his offers treated with contempt.

There was one very material reason why Parliament should not be adjourned. It was this; Parliament, by attending to the measures, could easily discover the incapacity of the ministers. The surrender of General Burgoyne, and the consequent disgrace of the British arms, was a fact which it was not in the power of sophistry to explain away. Almost 6000 men had been reduced to the necessity of laying down their arms. The whole of the British northern army had thus surrendered prisoners, and some generals of the Provincial militia had escorted them to Boston. Some very respectable characters, who came over in the Warwick, had proved the truth of this catastrophe. A letter had been received from General Fraser, which contained this expression; "I am not on a bed of roses, yet I care not for my own person." Some of the most respectable officers had foreseen the calamity which would happen to General Burgoyne; they had remonstrated to him; but, regardless of their remonstrances, he had rushed on, and had met with his fate.

How was this obstinate pursuit of a very desperate project to be accounted for? On this principle---the orders to Mr. Burgoyne were positive; he was to push through at any rate. The orders to General Howe, and those to Mr. Clinton, were not positive, but discretionary. The consequences had been such as might be expected. General Vaughan had undertaken an expedition in which it was very probable that he would share the same fate with Mr. Burgoyne. Should a worse befall him, he was not to be pitied. The man who had most inhumanly reduced the town of *Æsopus* to ashes, because it was, in his estimation, inhabited by a nest of villains, should be smitten for his cruelty by the scourge of justice.

As to the state of the garrisons in America, General Carleton had only three regiments at Quebec. The last advices from Ticonderoga mention the deplorable sickness which prevailed amongst the troops.

What had been the situation of the affairs? Had the smallest degree of unanimity prevailed amongst the officers? Very far from it. Mr. Clinton had been jealous of General Burgoyne; General Howe had not placed much confidence in

Mr. Clinton; and General Carleton had shewn the utmost difference for all those gentlemen. Xenophon ascribes the success of his retreat with the ten thousand, to the unanimity which prevailed throughout the army, and to the profound dependence which the officers and soldiers paid to each other. The opposite to this had been the case in America.

As to terms of conciliation, in treating with the colonies for peace, the object of independence, like the preamble to a statute, should not be mentioned until the body of conditions were adjusted. One good might result from the evil of defeat; had America not been so successful, she would have been entirely thrown into the arms of France; she would have been the property of our enemies, rather than she would have submitted to our tyranny.

The faint glimmering of hope still remained. Were we wise, the feeble ray should conduct us, as the star directed the Magi of the East, to the dwellings of peace. Should war be all our object, it would be infinitely more conducive even to the pursuit of that measure, for General Howe to treat General Washington, as he did in the Jerseys, to look at him, and turn to winter quarters in New-York.

To suppose that America would ever negotiate with those whose sincerity she could not confide, were to imagine a very vain thing. The negotiating talents of the present ministers had been already tried. The first proposition of the noble Lord [North] in the other House, had only subjected him to the pity of his friends, and to the ridicule of his enemies. The project for the eight-one-half *per cent.* revenue from Nova Scotia, had been laughed at by every customs-house officer in the British dominions. The powers with which the famous commissioners had been entrusted, extending no further than to grant pardons, and receive submissions, had been scouted by the Americans. Such proofs had the ministers given of the super-excellency of their negotiating talents.

Had their conduct of the war been marked with the trait of wisdom? Let the expedition of Mr. Burgoyne answer that question. It had been projected by the rashness of folly, and had been attempted to be executed in the madness of despair. The overthrow of Mr. Burgoyne was a national misfortune of so great a magnitude, that it was very astonishing the indignation of the people had not been roused. A disaster of not half so much consequence had thrown Spain into confusion. When General O'Reilly failed in the expedition against the

the Algerines, he was recalled with indignity; nor could the populace of Madrid be restrained from violence on the occasion. The people of this country were not of such complexional warmth as those of Spain; the loss of an army of 6000 men was a trifling calamity which hardly occasioned rumour in our streets. The good sense of the public had been boasted by the ministers, as affording support to their measures. How many delusive arts had been practised to impose on the good sense of the nation? yet the day of enquiry would come. These convenient adjournments of Parliament were so many presages that it was near at hand. Ministers could not meet the force of their opponents objections; talk to them about the truth, and, like Pilate, they waved the question, and adjourned the Court. This was treating Parliament as a mere engine of state; as necessary only for the registry of edicts. When England submitted to this, her liberty would be lost. The liberty of a free people existed no longer, than whilst the poorest man in the community could demand redress of the first minister in the country; and this as a matter of right.

The House divided.

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Non-Contents 17.

Adjourned to January 20, 1778.

[On the 20th of January, 1778, the Earl of Suffolk laid before the House a great Number of Papers, consisting of Returns of the Armies in America, Letters, &c. from the Commanders in Chief. The whole of the Papers, the Reader will find in the Common Debates of this Session.]

January 20.

The following papers were not laid before the House of Commons.

By the Commissioners for taking Care of Sick and Hurt Seamen.

Regulations which are to be observed by the Prisoners.

1. GOOD order in all respects is to be observed by them, and the directions of the keeper and agent are to be obeyed without murmuring or endeavouring to raise any discontent or mutiny among the prisoners; much less is any prisoner to dare to offer any menace or insult, by word or action, to the keeper and agent, or any acting under him, upon pain of being put into closer confinement and upon half allowance of provision, or such other punishment as the case may deserve, and they are hereby informed, that no person has a right to beat or in any manner ill-treat them, or will be suffered to do so with impunity.

2. As orders are given for their being regularly mustered, it is expected, that each prisoner shall readily answer to his name, as often as is required; if any one should wilfully neglect doing it, the agent has orders to put him upon half allowance of provisions for three days.

3. If the prison is damaged by the prisoners, the expence of repairing it will be made good to the Crown, by stopping half the accustomed allowance of provisions from all the prisoners, if they refuse to declare the names of the particular persons who did the damage; but, upon their giving in the names of those persons to the agent, the delinquents alone will then be subsisted with half allowance, till the said expence is made good, and such prisoners will also be put into closer confinement than usual.

4. If any prisoner should be taken in attempting to escape, or after having escaped from the prison, he will be put into stricter confinement, and upon half allowance of provisions for forty days, or as the case may deserve.

5. As water and tubs for washing their linen and cloaths will be allowed, the prisoners are advised to keep their persons as clean as possible, it being very conducive to good health.

6. The prisoners are not to fight or quarrel among themselves, or to raise any disturbance in the prison, on pain of being put into close confinement, and upon half allowance of provisions,

provisions, for so long as it shall be judged upon representation to us their offences may deserve.

7. The prisoners are expected by turns to sweep and clean the prison and the prison-yard, for which purpose brooms and scrapers will be provided and delivered to them by the turnkey; those who refuse will be put upon half allowance for three days, and till they submit to assist their fellow-prisoners in what is so necessary for the good of the whole.

8. The prisoners will be indulged between the hours of nine and two o'clock in the day-time, to purchase at an open market, at the gate, such articles of fruit or other refreshments as they may chuse, or any articles of cloathing they may be able to purchase with ready-money; or they may inform the keeper and agent of such articles of cloathing as they may stand in need of, and have money to pay for, and he will take measures for their being supplied with them, and for their not being imposed upon; but whoever shall by this means attempt to procure spirituous liquors, or other things improper for prisoners to have, or to deliver or receive any letters unexamined by the agent, will be put upon half allowance, and punished by confinement likewise, as the abuse of the indulgence may deserve.

9. The prisoners are ordered to be victualled according to the subjoined scheme.

10. For the better satisfaction of the prisoners, and as a means to prevent groundless clamour, the prisoners are to be permitted to chuse two of their body, and to change them as they like, to attend every day at the receipt and weighing, and to continue in the cook-room, during the dressing and issuing of the provisions, to see that they are good in quality, and the proportions according to the scheme of diet; and if any just cause of complaint of any sort arises, they are in a becoming manner to make it known to the keeper and agent, whose duty it is to redress it as soon as possible, and if it is neglected, the prisoners may write to us; but whoever under this pretext shall make unjust complaints will be punished by being put upon half allowance, and in closer confinement, as the case may deserve.

11. As the prisoners are ordered to be victualled in messes, if it shall at any time appear, that notwithstanding one or more of any particular mess shall have escaped, the remainder has received the full allowance for the whole, by which means the escape may be concealed, and an undue issue of provisions

provisions made, the offenders, upon discovery, will be put upon half allowance for forty days.

12. If any of the prisoners should purloin or wilfully destroy their hammocks, bedding, hospital-dresses, or any cloathing furnished those in want, they will, upon discovery, be put upon half allowance till the first cost of such articles is made good to the Crown.

Scheme of Victualling for Prisoners in Health.

Days			Beer Quarts	Bread Pounds	Beef Pounds	Butter Ounces	Cheese Ounces	Pease Pints
Sunday	-		1	1	$\frac{3}{4}$	0	0	$\frac{1}{2}$
Monday	-	-	1	1	$\frac{3}{4}$	0	0	0
Tuesday	-	-	1	1	$\frac{3}{4}$	0	0	$\frac{1}{2}$
Wednesday	-	-	1	1	$\frac{3}{4}$	0	0	0
Thursday	-	-	1	1	$\frac{3}{4}$	0	0	$\frac{1}{2}$
Friday	-	-	1	1	$\frac{3}{4}$	0	0	0
Saturday	-	-	1	1	0	4 or 6		$\frac{1}{2}$
			7	7	$4\frac{1}{2}$	4	6	2 or greens in lieu.

N. B. The beer is brewed with eight bushels of malt to seven barrels.

The bread for the prisoners in health is made from flour of 7s. 6d. that for the sick of 16s. 6d.

Regulations for issuing Coals and Candles, viz.

Officers Guard-Room.

Coals, one bushel a day, from 1st October to 31st May.

Candles, for the Summer six months, 1 lb. per week,

Winter six months, $1\frac{3}{4}$ lb. per ditto

Guard-Room for Private Men.

Coals, one bushel a day from 1st October to 31st May.

Candles for the Summer 6 months, $1\frac{1}{4}$ lb. per week,

Winter 6 months, $2\frac{3}{4}$ lb. per ditto.

Agent's Office.

Coals and candles, the same as allowed to the steward and agent at the royal hospital at Haslar.

Turnkeys.

Coals and candles, to be regulated by the quantities furnished the porters at the royal hospital.

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Dispensary.

Dispensary.

Coals and candles, agreeably to the board's directions.

A Scheme of Diet for the Prisoners in the sick Apartments.

1. Low diet—Water gruel, panada, rice gruel, milk pottage or broth, eight ounces of bread (and if butter is ordered, two ounces.) For drink, toast and water, phitisan or white decoction.
2. Half diet—For breakfast, milk pottage; for dinner, half a pound of mutton, some light bread pudding, or in lieu of it some greens, a pint of broth, a pound of bread, three pints of small beer.
3. Full diet—Breakfast as above; for dinner one pound of meat, one pint of broth, one pound of bread, two quarts of small beer; supper in the two last mentioned diets to be of the broth left at dinner, or, if thought necessary, to be of milk pottage.

Rice milk, orange whey, orange and lemon water, tamarind whey, vinegar whey, balm and sage tea, to be discretionally ordered by the surgeon.

The titles of the papers were read, and the House adjourned to January 23.

January 23.

Earl of
Abingdon.

Earl of *Abingdon.* Having a motion of very great consequence and importance to make to this House, I think it necessary to apprize your Lordships of it.

I am greatly alarmed at the spirit that is gone abroad, and at the countenance given to that spirit, of raising, out of the medium of Parliament, armies in Great Britain, by personal interest and private subscriptions.

It is therefore my intention, in the course of a few days, to move, That a day be appointed for summoning the judges to attend this House, in order that their opinions may be taken upon this matter.

At present, I conceive it, my Lords, to be not only repugnant to the principles of the constitution, but expressly against the letter of the law. Perhaps I am mistaken; if I am, and this mode of arming the nation be right, I too will exert my interest for the purpose of raising a regiment; not

by Lords, to go to America, to be hazarded, perhaps devoted, at to remain in England, to assist in protecting our liberties. If I am not mistaken, I shall trust that these violent measures will be immediately suppressed.

After some conversation, relative to what day the Judges should be summoned for their opinion, Tuesday next was agreed to.

The Duke of *Richmond* stated a complaint against the proper officer not laying before the House, according to the address presented to his Majesty before the recess, the several papers relative to the army, moved for and intended to be taken into consideration in a committee on the state of the nation, Feb. 2. He said, he had been examining the official papers laid on the table, in compliance with the addresses to his Majesty from that House; and that he discovered several of them had been omitted, copies of which had been delivered at the House of Commons; and that in order to have a view of them papers, he was obliged to have recourse to the clerk of the other House, who favoured him with a sight of them, and further that they were presented by the proper officer [Lord Barrington] the very first day the House met, after the adjournment. He said there must be a neglect in the officer, whose business it was to produce those papers. Desired by Lord Denbigh to point his complaint specifically at the particular officer who had been guilty of the neglect.] His Grace proceeded to observe, that in the return laid before the other House, Lord Barrington's name appeared at the bottom, of course it seemed to be his fault. [Desired by Lord Denbigh, if he meant to make it a breach of privilege, to frame his complaint accordingly.] His Grace said, the papers should have been sent in before that; the time was happening, when the state of the nation was going to be inquired into, which was a business of the first importance: that he had missed these papers, as soon as he perused the other on the table; but that he had now waited four days in expectation that the address of that House would in the mean time have been complied with: now finding his hopes were in vain, he begged some noble Lord, a friend to administration, for he saw none of that description present, would rise and give assurance that the omission would be rectified, otherwise it would become the House to enforce their own order, and call the officer or officers, in whose department it lay, to the bar, to explain the motives for so improper and disrespectful a conduct.

The

Bishop of
Landaff.

The Bishop of *Landaff* [Lord Barrington's brother] said the noble Duke should be very careful to be sufficiently informed, before he brought a public accusation against any man; and when he did, to be fully able to prove it. It did not appear that the noble Lord alluded to had received any orders from that House, or was officially before it: he therefore hoped the noble Duke would perceive the impropriety of passing a censure, without having in his power to shew it was well founded. The right reverend prelate then moved, that the order might be read, which being accordingly read, he observed that the motion was for an address, not an order to any official board.

Duke of
Richmond.

The Duke of *Richmond*, in reply, disclaimed any such intention; said what he had done, so far as related to mentioning Lord Barrington's name, was merely through the suggestions of the noble Lord near him [Lord Denbigh] that he well knew the noble Earl's good disposition towards administration: and that of course he could not suspect he was informal in his complaint, when directed by the noble Earl.

He observed that the contempt shewn to the House, was very extraordinary; that it was indeed very strange, that no noble Lord in office was present who could inform him that the present mistake could not have happened, if he had not been over-ruled by a noble Lord in office, now absent from his place [Lord Suffolk] who, instead of complying with his motion in the terms it was moved, which was, that the proper officer, &c. do lay before this House, contended that the papers should be moved for by way of address to his Majesty, which in fact prevented the censure from being properly directed, till it was known where the fault lay. He added that this neglect might be of very bad consequence, as it would be impossible for their Lordships to be sufficiently informed, to enter into the state of the nation, unless the desired papers were before them long enough to consider and digest them.

Duke of
Grafton.

The Duke of *Grafton* observed, that by the correspondence on the table, relative to what had been transacted under the powers of the capture act, (16th of George III.) and the commission issued under that act, granting certain powers to Lord and General Howe, as commissioners to carry its provisions into execution, nothing appeared which answered the intentions of his motion before the recess; that he had a letter in his hand, the answer to which was essential in the highest degree to the proposed enquiry, in a committee

the state of the nation, which was omitted in the other papers now before the House. He well recollected, that no papers which might be the means of revealing secrets relative to private negotiation, hints, or advances made on either side, were sought by his motion; but the answer to the letter which he wished to be submitted to their Lordships, was one written by Lord and Gen. Howe, dated the 30th of November, and received the 30th of December, 1776. The effect, the way or other, of the letter, was long since over; affairs had entirely changed; the pretensions on either side were totally altered; he therefore hoped, as it could not be productive of any inconvenience, with respect to America, that the noble Earl in office [Lord Suffolk, who now came in] would comply.

Earl of *Suffolk* reminded the noble Duke, generally, of the implied terms of acceding to his motion before the recess: *Suffolk*. and it was impossible to know what his Grace's motion might lead to; and that motions which involved in them questions of consequence, should never be hastily made, nor urged without previous notice.

The Duke of *Richmond* observed, the pressing exigencies of the times would not admit of the formalities usual in more peaceable seasons; that he hoped he would not hear any more of previous communications, till the state of the nation was taken into consideration; for until that day arrived, he was determined, and wished to be so understood, that every day was to be a day of business.

The Duke of *Grafton* moved to have Lord and General Howe's letter of the 30th of Nov. read, the answer to which, from hence, was the paper sought by him.

Lord *Suffolk* objected to the reading of it, but the letter was read. *Suffolk*.

The Earl of *Suffolk* then rose, and assured the House that he would oppose granting a copy of the letter which was written in answer to this.

The Duke of *Richmond* complained of the defectiveness of the papers; particularly the returns of the foreign troops, and any other matters, he said, besides, were totally omitted. *Richmond*.

Lord *Weymouth* replied, that the foreign returns had not come into his office, but such of the papers as lay in the office of the secretary of state, he was certain were now on the table. He desired the noble Duke to point out the omissions, because if he did not, he would not know how to give the necessary directions to enforce the order.

'The

The Duke of *Richmond* said now was not the time, it would be first proper to examine and consider the papers maturely but if there was no other objection, their Lordships' visible impatience to get home to dinner, was with him a sufficient motive, to defer the examination to another day. Adjourned to January 26.

January 26.

Duke of
Richmond.

The Duke of *Richmond* observed, that several of the accounts moved for before the Christmas recess, relative to the actual state of the army in Great Britain, Ireland, and America, particularly the latter, were defective. That blanks were left in many places which should have been filled up and were occasioned by mere neglect or absolute design; that he would not undertake to say it was the fault of the proper officer, for where the defects were most glaring, perhaps it was not in the officer's power to remedy those defects. The matter to which he directly pointed, was the total omission of the returns of those, who by death, captivity, wounds, desertion, or sickness, were wanting of the foreigners serving in our army. His Grace wished to be understood, as not charging any direct blame on the noble Viscount who presented them. He was satisfied that the noble Lord meant to be accurate; the omissions resulted from causes, which it was not in his Lordship's power to remedy in the ordinary course of business. He had himself been at the War-office and found that the defects did not originate there; but if in the common course of business what he sought could not be obtained, it was well known that Sir George Osborne Master General of the foreign troops, was arrived in the kingdom within few days; therefore, though the common office-forms would not admit of filling up the chasms in the accounts, an application to that gentleman would immediately draw forth the information he wanted. Every Lord present was fully acquainted with the objects wished to be attained by his motions; the House had already given its sanction to their propriety: if, therefore, the ends of the motion were not complied with, it was plain, the wish of the House would be defeated. On this clear ground he hoped the House would so far recognize their own act, as to agree with him, that every thing necessary to satisfy that wish ought to be sought and had. He had no intention of embarrassing Administration in what he was about to propose; he sought for what was within the ability of Administration to grant: one thing, however, might still be defective on his part

part; that was the mode adopted by him for calling forth the information he desired. To remedy that, he would move for the papers in a different manner, though meant substantially to answer the same end. His Grace then acquainted the House, that he would move for an account of all the embarkations made from Great-Britain and Ireland, with the number of land forces destined for America, to be laid before that House. This, his Grace observed, would give the total of the natives and foreigners actually sent to America. He followed this with stating another motion, respecting the recruits sent from time to time, both commencing the 1st of August 1774, and ending with the last monthly returns. Comparing the totals of those accounts with the latest returns of those in actual service, the difference would precisely give him the information he desired; that is to say, it would give the exact number deficient or lost, by death, wounds, captivity, sickness, or desertion. To put it still further beyond any doubt, he would move, "That an account be laid before that House, of the greatest number of troops, foreigners and natives, serving respectively in America, in the years 1774, 1775, 1776, and 1777, as well as those troops actually in that country on the 1st of August, 1774."

Lord *Weymouth* said he did not know what conclusions the noble Duke meant to draw from the information now moved Lord *Weymouth*.

All he could answer was, that as far as he was concerned, he had done all in his power to comply with the terms of several motions made by his Grace. If the defectiveness of the accounts were such as have been stated by the noble Duke, he could not say in what manner they could be remedied; but this he was certain of, that he was ready and willing to co-operate with the noble Duke's intentions, and in the sense of the House. If the foreign returns were not made, or if any other defect appeared, it could not be imputed to neglect in his office; consequently, he was ready to accede to any proposition, which might promise to draw forth the information desired.

The Duke of *Richmond* replied, that it was not now in the contemplation of the House what were the conclusions meant to be drawn from the facts which he wished to submit to their consideration. The House had called for the information, and it was enough in the present state of the question. His Grace again repeated the circumstance relative to Sir George *Boyne's* being Muster-Master-General of the foreign troops; and said, that gentleman most probably had it in his power,

Duke of
Richmond.

power, though perhaps not in an official or minute manner, to give an account of the losses by death, captivity, wounds, sickness, or desertion, of the corps, which were supposed, by the last returns, to be immediately under his inspection. His Grace then made his several motions, which were agreed to without a division.

January 27.

*Duke of
Grafton.*

The Duke of *Grafton* rose, and moved “ That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before that House a Copy of the Answer sent to the Commissioners for restoring Peace to His Majesty’s Colonies in America, in consequence of their Letter to Lord George Germaine, dated the 30th of Nov. 1776, excepting such part of the same Answer as might affect the safety of any individual.”

The Duke maintained the propriety of his motion on the contents of a letter on the table, from the commissioners Lord and General Howe, to Lord George Germaine, dated New-York, 30th of November, 1777, and received the 30th of December same year. His Grace, after moving that the letter might be read, proceeded to expatiate on its contents, and pointed out the necessity of complying with his motion. Perhaps, said his Grace, if the answer had been such as would have encouraged the commissioners to have declared the province at the King’s peace, and that the same had been followed by certain acts of grace and favour, either by obtaining more extensive powers from Parliament, or even from the apparent necessity, of adopting healing measures, of exceeding the powers already granted, the fatal consequences which have happened, would have never taken place. His motion was therefore directed to draw forth the answer to this letter. The commissioners doubted their own powers, they still doubted more as to the propriety of exercising what they already possessed. They feared, that a strict but justifiable exercise of them would defeat the great objects of the act, which created the powers under which they acted, that of distressing the trade of America, and thereby compelling them to return to their duty. The conduct of ministers on this occasion contended was what determined the fate of the subsequent measure ; if it was wise, prudent, and expedient, they could have no objection to submit the motives they acted upon to the consideration of the House ; if they refused it, then manifestly it was fair in argument and agreeable to reason to presume, that they were conscious of their own misconduct.

and now wanted to avail themselves of their influence in that House to screen it from the public eye. From the question his Grace digressed into a short view of the present state of public affairs, in general, which he looked upon to be extremely hazardous and critical; perhaps he was mistaken, and that he had been misled by a similar spirit of delusion to that which he charged on administration; perhaps his opinions relative to the existence of national calamities, were imaginary; perhaps public credit was not rapidly on the decline, the stocks were not falling, our enemies were not meditating some important blow against us, and we were not a divided, corrupt people. Be these things as they may, at all events, he recommended to their Lordships to get at information. It was our misfortune from the beginning to be debarred from information. The matter now alluded to exhibited, in his opinion, one more fatal proof of it. And as the first effort to return into the right path, he conjured Parliament to insist on having information; and assured ministers, if they acted right, that it was the only method of securing that public confidence, they so loudly boasted being in the possession of.

Earl of *Suffolk* begged their Lordships to recollect, that the paper desired by the noble Duke who made the motion, referred to the commissioners' conduct, under an authority which still existed; that the commission was yet in force; that the General and Admiral were at this moment acting under it; that it could not be warrantable to disclose, in the course of so important a business, the steps which had been taken, and which were yet in progress. When the motion of the Duke relative to the papers already before the House was made, previous to the recess, he had rose to declare, that, for one, he should object to any papers being produced which referred merely to correspondence; that the paper in question was not for public perusal; that the nature of it might easily be collected out of the letter to which it was a reply, and therefore he gave his negative to the motion.

The Duke of *Grafton* declared, that the noble Earl had not advanced one reasonable objection to the House having a sight of the reply to the commissioners' letter. He reminded their Lordships that the act, giving power to the commissioners, was passed so long ago as December 1776, and that they were now sitting in debate, January 1778, without having had one instance of the effect, much more of the success of the commission laid before them by the King's servants. That now, when an opportunity offered of their getting at some knowledge

ledge of the steps taken by government to produce that good from the commission which their Lordships had been so confidently assured it would be the cause of, when they were persuaded to give their votes for it, they were precluded from a use of it, and were denied a sight of a paper particularly necessary ; at the same time the King's servants had not a single argument to offer in justification of their withholding it, that either rivetted conviction, or had plausibility for its support.

His Grace enlarged upon the ground of complaint, the ministry's refusal, during the whole of the unhappy war in which we were involved, to afford Parliament the proper information, and to let them know what steps were really taken for the restoration of peace to America, which had been so much the boast of the King's servants. The very letter which had been read at the table, the Duke declared ought to have been produced to their Lordships at the time it was received ; it might have suggested to the House, that the powers given to the commissioners were inadequate to the purposes for which the commission was granted, and steps might then have been taken to amend and rectify the defects. So far, however, were ministers from taking this prudent measure, that their Lordships were suffered to sit during the whole of a very long session, without its being once hinted to them, that the commissioners had themselves sent home word, that their commission was ineffectual. An idea had gone abroad, horrid, even to entertain a thought of, much more to mention in argument, that it mattered not who were selected from the lowest dregs of the people ; whether they were the most unprincipled and abandoned beings in existence, for that the King and his friends could carry on the war and govern the kingdom. This idea the Duke reprobated as one of the most alarming and dangerous that could be entertained among the people, and particularly injurious to the welfare of the nation, if the King's servants adopted it. His Grace ironically ran through a series of arguments, to prove that the war had been followed with no loss to the public, no injury to individuals ; that the stocks had not sunk considerably, and that the national credit was not in the least affected. The Duke, at length, concluded with solemnly urging their Lordships to remember, that the present was a most serious moment, and that upon the faith of the resolves of Parliament it now rested, whether we should have even the shadow of a constitution left ; the name of Parliament, he said, had been borrowed to colour

those iniquitous measures to which alone were to be ascribed the loss of America, and the dreadful loss of blood and money which had ensued in the fruitless and impolitic endeavours of government to regain it. Parliament was held out as a screen for bad men and bad measures; the fact was, Parliament had sanctified much iniquity, without being in itself iniquitous; Parliament however, was not to blame, as both had been deprived of every opportunity of seeing their way, and had been deluded into an agreement with measures, which, had they known how matters really stood, they certainly never would have consented to.

The Earl of *Suffolk* disclaimed the charge of the King's servants having withheld information from Parliament; on the contrary he declared, that whenever they had been applied to by either House for intelligence, and that intelligence was of a nature proper to be communicated, they had uniformly given it. He bid their Lordships recollect how readily they had in the present session granted every paper desired, except where there was some particular and forcible objection against such conduct.

The Earl acknowledged that the present was certainly a most calamitous and unhappy war, and he thence inferred, that it behoved the King's ministers, pending such a war, to be exceedingly careful respecting the communication of the steps taken to put an end to it, to the public; that the noble Duke who made the motion, was, he trusted, perfectly aware of this circumstance. With regard to the idea of it not being a matter of moment who were the ministers, or from what low order of the people they were selected, the idea was altogether new to him, and he was sure, by no means applicable to those who now had the honour to serve the King. He had already assigned his reasons for not consenting to the paper in question being laid before the House, and it struck him that reading the letter of the 20th of September, would confirm their Lordships in his opinion.

The Duke of *Grafton* repeated his arguments, that it was altogether unjustifiable to withhold the paper mentioned in his motion, and bid the ministers recollect that a day of enquiry could not be avoided; that the necessity of affairs would force the people to demand it, and then those who now denied Parliament the information they desired, would possibly be inclined to lament their refusal, and to wish they had been more explicit.

The

Duke of
Richmond.

The Duke of *Richmond* said he agreed with the noble Duke who spoke last, that this was a most serious moment for Great-Britain, so serious that all the powers of language, and all the force of oratory, could not sufficiently describe its vast importance. His Grace, after explaining the objects of the commission sent out, to be carried into execution, and the intention of the prohibitory law, which created the powers under which the commissioners were to act, his Grace began the debate *de novo*. He said, the letter of the 30th of November contained two important matters. It informed administration, that a proclamation had been issued, under the faith of which great numbers submitted; and through the medium of their legal governor, General Tryon, desired to be restored to the King's peace. The commissioners further stated the situation of the colony to be such as not to admit of a compliance with this request; because, if granted, it would defeat, by a partial restoration of the former state of things, the great objects of the act, particularly that of prohibiting the commerce of the other colonies. Here then was the dilemma Lord and General Howe found themselves in. They had issued a proclamation, offering certain conditions of pardon and protection; but when they were called upon, they perceived an almost insurmountable obstacle in the way. What did they do? They stated the particulars in the letter of the 30th of November; they applied to administration for a direction what to do. Then, said his Grace, what can be more worthy the attention of this House, than to learn the conduct of ministers, on so critical and important an occasion? The royal word was pledged in the proclamation, that the conditions contained in it should be faithfully fulfilled. The royal word thus pledged was broken; for neither then, nor to this hour, have the conditions been fulfilled. It was this uniform breach of faith, on our part, which first made America jealous and suspicious. The colonies could not trust to our assurances on any occasion; consequently, when they found that no grounds of accommodation were offered, and that even the preliminary offers of amity were falsified in the very instant they were made; such as were not really compelled to submit, thought it in every respect much better to trust to resistance, than accept of terms which experience had taught them were not meant to be kept. He said, he did not mean to contend, that be the answer what it might, it would have been productive of a general pacification; it might, or might not; but the point he contended was that the royal word,

the faith of Parliament, be the consequences what they might, ought to have been kept inviolate. He further observed, that he thought the argument raised by the noble Lord in high office, on the letter of the 20th of September, was somewhat extraordinary. It went to prove, that a subsequent transaction was to be governed by circumstances which had happened six weeks before.

Lord *Weymouth* said, that if the paper which it pointed to was made public, he believed that the contents of it would not answer the expectations of the noble Duke, nor any of the Lords who had supported his motion. In reply to the reasoning of the last noble Duke, relative to the imputation of insincerity, and breach of faith, in not declaring the province at the King's peace, he believed, if his Grace would collect the contents of the proclamation, he would discover, that it held out no more than a granting of pardon, and general amnesty for what had passed on a peaceable return of the inhabitants under their several descriptions, to their dwellings. [Here he was told he was wrong, by the Duke of Richmond, for that the restoration of their commerce was one of the conditions held out in the proclamation.] His Lordship said, allowing the fact to be true, it would never be understood that the submission of individuals would entitle the whole province to be at the King's peace. It was a general submission, not a partial one, which was to entitle the province of New York, or any other province to the restoration of commerce. Was that the case, in the instance alluded to? Did not the letter of the 30th of November state the direct contrary? It stated, that a very small part of the province had submitted, and assigned that as a reason why the whole was not declared at the peace of the King, and why an immediate restoration of commerce was not the consequence of that partial submission.

The Earl of *Dartmouth* insisted that it was the most forced construction he ever heard, which was now put on the terms of the proclamation. The act, the commission, and the instructions, spoke a different language. Persons bearing arms; others who had acted under usurped powers (the very phrase made use of in the proclamation) and several other descriptions of men, were desired to return peaceably to their dwellings; and on such peaceable submission they were promised not only pardon and protection, but a restoration of their commerce, and all the other rights formerly enjoyed by them. This was the tenor and obvious sense of the proclamation.

Could,

Could, then, any noble Lord imagine, that unless the whole province, including those who had claimed and exercised the usurped rights therein specially mentioned, had returned to its duty : and until the civil government was restored on its former footing, that it ever was in the contemplation of Parliament to declare any such colony or province at the King's peace ? No ; the idea was absurd and preposterous ; such a thing was never intended. It would, indeed, as it was well observed in the letter, defeat the great objects of the act, both partially and generally. If that was the case, a formal submission of a few individuals would effect the business ; and experience had proved how very little personal submissions were to be relied upon, as many who had taken the oaths under the proclamation were found slain in battle, with their pardons in their pockets, fighting against the power they had sworn allegiance to. On these grounds he was induced to believe, that the only solid object of the commission was, to restore commerce on a desertion of the usurped powers, which had been severally exercised by their provincial congresses, committees, and county-meetings.

Duke of
Richmond.

The Duke of *Richmond* replied, that even according to the explanation of the noble Lord who spoke last, the conditions of the proclamation were not fulfilled ; for it appeared in the dispatch alluded to by the noble Lord in high office [Lord Suffolk] that the inhabitants of York-Island, of the King's and Queen's and Chester counties, had actually submitted, under the faith of the proclamation, but had not reaped the advantages which it held out : he should therefore be glad to know what other description of men were intended ? Were the whole body of those districts, or counties, the governing powers, or were they not ?

Duke of
Grafton.

The Duke of *Grafton* observed, that the noble Lord who spoke early in the debate [Lord Suffolk] said, that the answer now sought was improper to be laid before the House. The noble Viscount [Lord Weymouth] who spoke lately, said, that probably, if the contents of the letter were made public, it would turn out very different to the expectations formed on this side of the House : and another noble Lord, who spoke later [Lord Dartmouth] seemed to acknowledge his total ignorance of the purport of the letter in question. Among such discordant opinions of persons, supposed to be all acquainted with the same matter, he was inclined to suspect what he believed was often the case, that the business

as totally neglected, and that no such letter as he had now moved for ever existed. He explained the conduct of the noble Lords in this manner, in order to reconcile what was otherwise not to be accounted for; for how was it possible to conceive that, if any such letter was written, the three noble Lords should differ so widely as to its contents, or have forgotten its purport. He observed, that the noble Lords who opposed the motion so strenuously, had all done it on the ground of a precedent promise, supposed or implied. He now begged leave to object to any argument which might be built on that supposition. He made a motion before Christmas, it was true; and papers were given, in pursuance of that motion. He now made another motion; and hoped it would not be said, that if proper to be agreed to on its own merits, their Lordships would look upon themselves bound by any precedent engagement of his. The question fairly was, Is the paper desired necessary, or is it not? If it be, it ought to be produced; if not, the motion should be rejected.

Lord *Weymouth* desired to explain himself, in reply to what had been offered by the noble Duke who spoke last: He said he did not see that there was any discordancy of opinion between him and the noble Lord who spoke early on the same side [Lord *Suffolk*.] That noble Lord said, it would be improper to make the letter moved for public. He said, that if it was made public, it would not answer the expectations of those who wished to have it produced. He could not see there was any repugnancy in all this: for though it might not be prudent to disclose its contents, yet they might be of such a nature as not to answer the expectations of those who hoped that a suitable answer would have been productive of the most happy effects. In reply to the other noble Duke he observed, that most certainly the act, instructions, and proclamation, all imported the same thing; which was the return of the whole province to its allegiance, before a restoration of commerce could take place.

The Earl of *Dartmouth* explained himself in the same manner; and said; he did not look upon himself obliged to give dissentiments on the letter; because he was clearly of opinion, that the contents of it, at present, were no fit subject for parliamentary discussion.

The Duke of *Richmond* concluded this debate; with saying, that a whole province was the precise description which was to carry the terms of the proclamation into effect, then he had a case in point to produce, which was a letter from Lord and General

neral Howe, dated the 22d December, the same year, which positively asserts, that the whole province of Jersey, but a very inconsiderable part, was then returned to their allegiance. If this fact was granted, then the terms of the proclamation were not fulfilled : a whole province had returned to its duty, yet from that day to this it was never declared at the King's peace, nor was its commerce restored.

The motion passed in the negative, without a division.

Earl of
Abingdon.

The Earl of *Abingdon*. Being now assembled, in consequence of the notice I gave your Lordships of my intention to make a motion to this House, I think, that the high importance of the motion itself, will render any support my abilities can give it useless, and unnecessary.

It is sufficient for me, that I feel myself actuated by an honest zeal (for honest I will call it) for the salvation of my country, in these times of the most dangerous experiments; it is to your Lordships' better understandings, that I must submit. On this ground then, my Lords, and because I hold it to be the privilege of every noble Lord of this House, to call for the advice of the judges in point of law, I shall presume to make the following motion.

“ That a day be fixed for summoning the judges to attend this House, in order to take their opinions upon the present mode of raising troops, without the authority of Parliament.”

Lord Chan-
cellor.

The Lord *Chancellor* rose, and objected, on several grounds, to the informality of the motion. He said, no instance was yet recorded in Parliament of any such motion being received. That the judges had no voice in that House, nor were ever present in debate; nor at any other time, in the manner now attempted, unless specially called upon. That when they were called upon, it was to decide upon matters of mere law, and upon questions previously framed; which questions were supposed to arise from facts already proved to the satisfaction of the House. Was that the case now? Was there any fact whatever stated to the House, on which a question of law could arise? Not one, nor one even suggested. On this ground of informality, he contended that the motion was highly improper: nor could it be entertained for an instant conformably to the established usage of Parliament.

His Lordship then said, the annual act passed every session called the mutiny act, became necessary; because in time of peace, no standing army could be kept up within the king's

without the consent of Parliament. The last act empowered his Majesty to raise twenty thousand men. In that view of the question, if it should come out in proof, which was a fact within his own knowledge, that including the levies made during the recess, the whole of the troops within the kingdom did not amount to 20,000 men; then the measure, to which the motion was directed, was perfectly justifiable; for the mutiny act had been literally and rigidly complied with. Besides, though the matter had not been just as he stated it, the House, could not properly take cognizance of the affair. He understood, a noble Lord in the other House [Lord Barington] who presides over the war department, had already delivered in estimates of troops proposed to be raised; therefore, tho' the number should exceed 20,000 men, the embodying and regimenting of them would not take place till the measure had received a parliamentary sanction. If recruiting parties had been out, or men had been proposed to be raised, was usual every day; preparations in the recruiting service were necessary, because it was not the very instant men were wanted for actual service that they were recruited. He concluded with saying, that the bill of rights declared, that to keep a standing army within the kingdom, in time of peace, was contrary to law; but the present not being a time of peace, that provision in the declaration of rights did not apply; for what noble Lord would rise and say, that we were not at present in a state of war, and that of the most important and eventful nature? He wished the noble Earl would withdraw his motion.

The Earl of *Suffolk* said, he should be against it on the ground of expediency.

Earl of
Suffolk.

Ld. *Camden*.

Lord *Camden* reprehended the noble Earl for making use of the term *expediency*; recommended to have the motion withdrawn; said it well deserved their Lordships' most serious attention, as it was, in point of constitutional effect, of a most serious and important nature. He begged leave to lay in his opinion thus early, to be understood that the question did not lie within the very narrow limits which had been assigned to it by the noble Lord on the woolsack. It seemed to him, to most materially affect the privileges of Parliament. He had not yet digested his thoughts on the subject, but from its naked appearance and the arguments which came in support of it from the woolsack, the consequence of those arguments would lead in his opinion, to the utter subversion of the constitution. On that ground, he could venture, in the first in-

stance

stance, to pledge himself, that he would prove that no such power, under any pretence, could be exercised, without the previous consent of Parliament. But if there could, it would be the most irrefragable argument with their Lordships he presumed, to do every thing, which depended upon them, to apply a speedy and effectual remedy. His Lordship further contended, that the question was of the first magnitude, and called for the most ample and solemn discussion, the measure of raising troops, without the consent, and during the sitting of Parliament, was not only illegal, and unconstitutional, but a high violation of the fundamental privileges of Parliament. To judge of the necessities of the state, in point of measures offensive or defensive, and to make provisions accordingly, was of the very essence of Parliament; to take any measure therefore, while the Parliament was in being, and of course in an active, and not passive state, without previous information, consultation, and advice, was an act little short of superseding its authority, and stripping it of its rights.

Earl of
Effingham.

The Earl of *Effingham* disapproved of withdrawing the motion; said he would be better pleased to meet the negative directly, than have the question, after full notice given, postponed. If administration meant to oppose it, they, it might be presumed, would not change their intentions, in the space of a few days. His Lordship being reminded, that the motion was already withdrawn, insisted nevertheless, as a peer of Parliament, on his right to give his sentiments, upon every question introduced into that House.

Duke of
Richmond.

The Duke of *Richmond* declared, that the judges were the attendants of the House, and entered into an investigation of the different import of the word *attendance*, distinguishing it from the word *assistance*, as used in the journals of the House, deducing from thence, an argument, that the judges, to whom the word *attendance* was always applied, in strict compliance with their duty, should give daily attendance; but on account of their other important avocations, that attendance was excused, and they were never expected to be present, unless specially summoned. His Grace contended, that a motion for the attendance of the judges, by any noble Lord in his place, was a motion granted as a matter of course, and prized within the standing order of the House; and that it was contrary to parliamentary customs to refuse it. With regard to the present motion, it was highly necessary he said, that the judges' opinions should be had. Government was flattered, assisted, and supported by Jacobites, Tories, and High

Highlanders, who were now raising large levies of men, for the support of measures, which had proved to be exceedingly injurious to the interest and the honour of Great-Britain : that this was a new and a very alarming case ; that therefore it was well worth the enquiry of their Lordships, and if found to be illegal, deserved their most pointed and severe censure. *Earl of Suffolk.* The Earl of *Suffolk* slightly touched upon the nature of the Earl's intended motion, arguing that from what he knew of the present state of the army, and the necessity for having as many men as could possibly be collected, for the public service ; in all probability, the summoning the judges, for the purposes declared in the motion, would not appear expedient at this moment ; and that he, for one, should put his negative upon it.

The Earl of *Shelburne* said, the national concerns, were indeed in a very precious predicament, if, when modes of raising troops, altogether new, and apparently unconstitutional, were publicly practised, upon a Lord of that House stating his doubts as to the legality of the manner of raising levies, their Lordships were to be told by one of the King's servants of the inexpediency of attempting to solve those doubts, and on that ground only the attempt was to be frustrated ; an attempt which went to an ascertainment, whether the constitution was or was not to be endangered. The Earl declared, he, for one, had arrived in town only the preceding evening, and had not found time sufficiently to investigate the subject in which the noble Earl who made the motion grounded his doubts ; but that the noble Earl had done him the honour to communicate his opinion to him, and that he clearly saw the noble Earl meant to consider a grand constitutional point ; that therefore he had attended : that he conceived the summoning the judges to be a motion of course, and although he was not willing to do the public so much disservice, as wantonly to sport with their property, by calling for the judges without occasion, he could not conceive that their attendance for one day could be a matter of great inconvenience, especially as he observed that the chief justice (before whom as much business came as before any one judge) found time to attend the business of the House pretty constantly, and scarcely ever failed when any question was to be put in the fate of which government was concerned. Not (says his Lordship) that I think the judges' opinion of such mighty consequence ; few questions come before this House of which your Lordships are not as competent to decide as the judges. In grand national points

points I shall never be directed by the opinion of lawyers, nor will I go to Westminster-Hall to enquire whether or not the constitution is in danger. I speak therefore now merely upon the rights and privileges of Parliament; I acknowledge I am not perfectly master of the forms and customs of this House respecting the attendance of the judges, but I conceive they ought to attend upon the motion of any one of your Lordships: if, however, any Lord better acquainted with the orders and customs of the House will shew that I am mistaken, I shall be glad to be instructed.

Earl Gower. The Earl *Gower*, objected to the withdrawing of the motion with a liberty to repeat it in the same words; therefore the noble Earl had the option of now abiding by the question, as first put, or omitting that part of it relative to summoning the judges.

Duke of Richmond. The Duke of *Richmond* said, that if the matter propounded to the judges, when they did attend, was improper, the House might put a negative upon it; but in the first instance he had always understood that such a motion was never refused.

Earl of Marchmont. The Earl of *Marchmont* said, the judges were never called upon by their Lordships, but in two cases: one was in matters of right, pleaded at the bar; the other was relative to the legal construction of an act of Parliament.

Earl of Suffolk. The Earl of *Suffolk* said, that the duties of the judges required their attendance in another place, and that if their presence was required here, it might be productive of the worst consequences.

Duke of Richmond. The Duke of *Richmond* insisted, that during the sitting of Parliament their proper place was on the woollacks; that they formed in some measure a part of the House; and that according to its rules and orders they were always supposed to be present. He said he would not admit of negative proofs, and called on the noble Earl who spoke last but one, to produce a single precedent in which the request now made had been refused.

Earl Gower. The Earl *Gower* acknowledged, that two judges during the sitting of Parliament were supposed to attend; but he understood, and never heard it disputed, that it lay in the breast of the House, and not in that of a single member, to enforce their attendance. The reason of the thing pointed out its propriety, because it was plain, what one noble Lord might do another might; the consequence of which might be, that being called upon day after day, the public justice of the nation

... would stand still, and every thing would be thrown into confusion.

The Earl of *Marchmont* mentioned what he called a case in *Earl of Marchmont.* He informed their Lordships that he was present in the House at the time a motion was made by John Duke of Argyll, the year 1737, relative to the great riot in Edinburgh, about pt. Porteus, who was executed by the mob, in which the noble Duke moved for the attendance of the Scotch judges, relative to a point of law. The question was carried, but the judges refused to attend, and the affair dropped. From this instance his Lordship concluded, that though the judges are ordered to attend, they might refuse to comply.

The Duke of *Richmond* again insisted, that the judges form a part of the House; and as a proof that they did, he had required of the clerk, who informed him, that there were writs always issued previous to every new Parliament, requiring their attendance; though they were not returned, like the Peers' writs, into that House. As to the point of inconvenience, it was little; because during the terms, it was no great hardship upon the judges to slip up from Westminster-hall, when the business of the courts of law were over. He observed, that a noble Lord [Lord Mansfield] a Peer of that House, and likewise one of the judges, frequently attended in his place. When his absence could be dispensed with on general as well as particular occasions, he presumed upon so vast and important a question, as the present, neither the Justice, nor legal business of the nation, would stand still. Since he was up, he begged leave to know from the noble Lord, if the fact was as he had stated it, relative to the writs being issued out of that House, requiring the personal attendance of the judges?

Earl of *Mansfield* said, the fact was so; but as he had been *Earl of Mansfield.* Peer before he was a judge, he had never received any such writ.

It was at length agreed, to defer the further discussion of the question, till the 4th of February. The motion made by Lord Abingdon, was accordingly withdrawn.

January 28.

Private business.

January 29.

The Duke of *Manchester*, after stating, in a short introduction, the purport of his intended motion, moved, "That a humble address be presented to his Majesty, that he will graciously be pleased to give directions, that there be laid before the House returns of all the regiments, battalions, independent *Duke of Manchester.*

independent corps, or companies, raised, or ordered to be raised, from the 10th of December 1777, to the 29th of January 1778, with a list of the officers employed in the said corps, specifying the time they have served, and the rank they have held in the army; and also a copy of all instructions from the war office, delivered to the officers of the said corps, and the terms on which the said corps are to be raised." The motion was agreed to, without any opposition.

Duke of
Richmond.

The Duke of *Richmond* premised, that he was at all times extremely unwilling to give their Lordships any unnecessary trouble, but there were some occasions, which, from their nature, superseded every minuter consideration. The present crisis came within that description. A motion was made before the recess, and agreed to, to go into a committee on the state of the nation. The very terms of the motion sufficiently declared its importance. He, as the person that moved it, stood in some measure pledged to the public, that the objects proposed by the motion should be attained. The result of the enquiry was intended to be productive of a knowledge of our real situation. It meant that, or it meant nothing; consequently every thing which fell short of the information desired and wished for by the House, was effectually to defeat their Lordships' intentions. He was sorry, that as far as he was enabled to judge, the papers already produced were far from giving the satisfaction desired. He did not wish to enter into particulars, or detail, because that might come more properly before their Lordships when in a committee; but he could not help observing, that the fault lay somewhere. Apologies had been made, in some instances, that a part of the papers desired could not be had; in others, that the time allowed for their productions would not admit of compliance, because they were numerous and long. A third reason was assigned, that either the motions were not framed suitably to their intended objects, or that the information wished to be called forth was of such a nature, as not to be proper to be submitted to public inspection. In such a variety of reasons and apologies, his Grace however, hoped, that the interests of the nation were not intended to be deserted or sacrificed to any motives of personal convenience; or mere neglect and inattention. He was led to imagine the contrary; and willing to give credit to the assurances of ministers: yet where papers were totally omitted, or, when produced, were defective, he, as a friend to his country, and desirous of fulfilling his duty as a member

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member of that assembly, looked upon himself specially called upon to point out to the House every defect, or omission, which struck him as an object of importance. On this ground, he begged leave to observe, that the returns from the board of ordnance had been entirely omitted; and this seemed still more extraordinary, because, under a similar order, the returns from the regiment of artillery in Ireland were on the table. His Grace wished to be understood as making no charge whatever in the first instance; but desired to be informed if the several accounts which had been moved for, were meant to be produced before the committee met. If he was assured that that was the intention of ministers, he would rest satisfied; if not, he would move, and consequently learn the reason, if any could be assigned, why the papers called for by their Lordships were not produced.

Earl of *Suffolk* said, the matter not being properly in his office, he could not satisfy the noble Duke why the papers were not produced; but he could venture to say, from the known disposition of the noble Lord in office, now absent from his place [Lord Weymouth] with whom the matter particularly rested, that his Lordship would faithfully comply with every thing that depended on him. By what he could learn from the noble Lord, if the accounts from America were defective, the defect did not originate with him; nor was it imputable to any neglect of those employed in his office. Such as the accounts were, they had been laid before the House; and there his Lordship's duty terminated. The reason of the noble Lord's absence, he understood, was occasioned by his endeavours to give satisfaction relative to the matter desired; and that being the case, he presumed that the candour of the noble Duke would lead him to accept of that as a sufficient apology for the present. He nevertheless concurred in the present motion, and did not mean to intimate the most distant objection.

The Duke of *Richmond* replied, that no person was more ready to make every allowance consistent with his duty, than he; but either the accounts alluded to, were in his office, or ought to have been brought there; or they should have gone directly from the office of ordnance. Let then the noble Lord in office take his option. The noble Viscount [Weymouth] received the papers, and neglected to lay them before the House, or not having received them, the board of ordnance had not performed their duty. It was painful to him to be obliged to dwell so frequently on

the same facts : but he could not help observing, that no returns had yet appeared of the killed, wounded, and missing of the troops serving in America, nor had he yet received any assurance from any Lord in office, that this defect was meant to be remedied. He had indeed gone a step further; he had himself gone to the war-office, and desired to know whether any such returns were meant to be laid before the House, and received for answer, that the office had already delivered all the papers which had been received there.

This, he said, was a very disagreeable circumstance, because it tended directly to defeat the objects of the enquiry, which were to know the real state of the nation, and in consequence of that knowledge, to put it in a necessary state of defence, and as a foundation for measures proper to be taken in so perilous and critical a situation. He was astonished to hear the apology, made by a noble Earl in high office, that the returns of the regiment of artillery, were not before the House, because a noble Viscount was absent. There were two noble Lords [Townshend and Amherst] who had the direction of the ordnance board; if they were present, which they usually were, surely they should assign some reason why the returns of the regiment of artillery had not been long since laid before the House. To put the matter beyond doubt, he meant however to make a motion or rather to repeat it; and point it specifically to the object wished to be attained. His Grace then moved, "That there be laid before this House, by the proper officer, the state of the royal artillery from the last returns." The motion was agreed to.

His Grace followed the motion with two others. The first, "That there be laid before this House, an account of his Majesty's ships and armed vessels which were employed in North America in 1774; specifying the number of seamen and marines aboard each ship." The second was, "That an account of such of his Majesty's ships of war and armed vessels, as have sailed from Great Britain to North America, in the years 1774, 5, 6, and 7, with the number of seamen and marines aboard such ships, distinguishing the rates, be laid before this House."

Earl of
Sandwich.

Earl of Sandwich objected to this motion, not as improper, but as impossible to be complied with, so as to answer the intent of the noble Duke's motion, which he understood was to have the papers laid before the House by Monday, the day fixed for the enquiry into the state of the nation. The

account

accounts called for were numerous and various, and would take a considerable time to make out; whereas in fact there could be but one day, (two holidays intervening) between this and the day the papers would be required. It was not in the power of the clerks to copy the papers in the time; he therefore hoped the noble Duke would see the impropriety of persisting on his motion.

The Duke of *Richmond* said he had always understood, Duke of
Richmond. that there were regular accounts received and entered at the office; that an abstract copy of them could take but a very short time in making out; and that he presumed the noble Lord meant, if pressed on the subject to assign some other more cogent reason for resisting the motion.

Earl of *Sandwich* adhered to his objection, said that Sunday was no day for business, and that to-morrow, [30th of January] would be consigned to religious duties. Earl of
Sandwich.

The Duke of *Richmond* said, he was inclined to believe, Duke of
Richmond. that there would be some persons in the admiralty office that could not be present at church to-morrow. For his part, he always chose to be absent on that day. As a Whig, and thoroughly convinced of the rectitude of Whig principles, he was determined never to attend divine service on the 30th of January. The anniversary, he observed, was to commemorate the fate of one of his ancestors [Charles I.] who, in his opinion had deservedly suffered.

Earl of *Sandwich* replied, that the papers did not lie in his Earl of
Sandwich. department, but in the navy-office; and though perhaps some of the Lords in that department might not go to church to-morrow, some of the young clerks in the navy-office, for reputation's sake, would. He had no particular objection to the motion, he begged leave to repeat, but in point of time. So far from it; if the accounts could be copied, so as to be ready for the committee on Monday, he was satisfied; if not, all he desired was, that the House would understand, that the delay, if any, would be occasioned by necessity, and not by design. If therefore the noble Duke could enlarge the time, he was very willing to accede to the motion.

Duke of *Richmond* said this was satisfactory, and after two Duke of
Richmond. or three days being mentioned for the production of the papers, his Grace consented that the time should be extended to the 4th of February,

His Grace lastly moved, "That there be laid before this House an account of the quantity of foreign oak-timber brought into the several dock-yards, from the 30th of September,

tember, 1770, to the 30th of September, 1777, specifying the price paid, or contracted to be paid, for the same. As also an account of the number of ships repaired with foreign oak-timber from the 30th of September, 1770, to the 30th of September 1777."

Earl of
Sandwich

Earl of *Sandwich* said, it would be extremely imprudent at any time, or on any occasion, to impart matter which must eventually come before the public, and which might tend to expose the national weakness. As long as he had the honour of presiding at the admiralty board, he should always continue to oppose any motion of the kind. He observed, besides, that though the navy was on ever so respectable a footing, it would shew a public suspicion that it was not. The former was most certainly the case. And his objection was made precisely on the same ground as that made by him to a motion of his noble friend near him [Duke of Bolton] before the recess, relative to the state of the ships in ordinary; that it would, taking the fact either way, tend to expose to foreign powers the weakness of our navy, or shew that at least such suspicions were entertained in Parliament.

Duke of
Bolton.

The Duke of *Bolton* observed, that the noble Earl who spoke last had brought this matter *upon himself*, by *boasting* of the respectable state of the navy, and in particular, by stating to the House in argument the very ruinous condition it was in at the time he was called to the admiralty board. Not contented with this, his Lordship had even taken particular merit to himself, for the mode of supplying the navy with foreign timber, and the superior quantity of timber in the yards, contrasted with the period at which he was called into office. On the question immediately before the House his Grace observed, that the noble Lord, by his own personal act, had laid before the House an account of the quantity of timber at present in the yards. How then could the noble Lord object to a measure which was meant to prove the truth of the very fact that account was intended to establish. He further observed, that it had been frequently urged by his Lordship in debate, that the navy was in a most ruinous state at ~~his entrance~~ into office, and that it was now in the most flourishing situation, how could either of those facts be ascertained but by knowing the state of the navy prior to his presiding at the admiralty board, as well as now. Such an enquiry, his Grace said, would settle the matter beyond doubt, and would be the means of finally deciding upon the conduct of both those at present in office and those who preceded them.

Earl of *Sandwich* said he could not possibly understand how he had brought any thing upon himself. What he asserted from the beginning was true. We had only so much timber at such a time; we had so much more now. The motion might be directed to shew how the foreign timber had failed in particular instances, or not. If it should, then, in his opinion, it would be extremely improper to disclose such failure to our enemies; if it had not, the motion was of course nugatory. However, if it was imagined that the former was the case, and that their Lordships should think it proper to expose our national weakness, he was ready to accede to the motion.

The Duke of *Richmond* expressed his surprise that the noble Earl could imagine, that the motion was directed to draw forth matter which might tend, or actually go, to the disclosure of the weakness of the navy. He neither wished nor meant, he said any thing of the kind. On the contrary, he had heard a very different language adopted in Parliament, since the commencement of the present session, which was, the more the state of the navy was laid open, the better. Such a disclosure was frequently courted. It had been repeatedly affirmed, both in that and the other House, that the making known to our enemies the true state of naval preparation we were in, was the surest means of keeping them quiet; the strength of our navy, in case of a war, was our best security; and a general knowledge of that strength abroad was the surest means of preventing a war. But supposing the noble Lord at the head of the admiralty, for reasons, which, if existing could not be mistaken, was willing to desert the ground of naval superiority on our part, he would remind his Lordship of what he was sure he could not, as an official man, and one long acquainted with business, be ignorant of; which was, that foreign powers were perfectly well acquainted with our naval and military strength. He did not make this assertion loosely, he knew it to be the case. When he was in a public character at a foreign court [Ambassador to the court of France in 1765, and 1766] he had the fullest proofs that foreign powers had a perfect knowledge of our state of defence.

Earl of *Suffolk* said, he did not approve of the suggestion thrown out by the noble Lord at the head of the admiralty, that acceding to the motion would eventually be the means of exposing the weakness of our navy. He said he could not directly conceive how the motion could tend either to declare

declare the strength or weakness of the navy. It did not seem to be the opinion of the noble Lord at the head of the naval department, though imputed to him by the noble Duke who spoke last. He wished to avoid only the ill consequence of having such a motion get without doors, as if a suspicion of our naval weakness was the cause of such a motion. As he differed from his noble friend in office in the interpretation, he for his part saw no solid objection to the motion. The noble Duke who made it, had laid it down as a general proposition, that in whatever part Parliament suspected a weakness, that it was the duty of Parliament to enquire, that the weakness should be revealed, in order to apply a suitable remedy. For his part, he did not think so. On the contrary, if there was a weakness, it was, in his opinion, the duty of Parliament to conceal it, at least till the danger was passed: nor should he ever consent to disclose any matter to indulge the spirit of a curious or captious enquiry, when the event might be the exposing of the weakness of the nation.

Duke of
Richmond.

The Duke of *Richmond* disclaimed, in positive terms, the most distant intention of wishing to disclose the weakness of the navy. But if the public had been deceived as to its real state, of national security; and that such a fatal delusion should prevail, the interference of Parliament, in such a supposed case became necessary; it was in his opinion the proper business, nay the indispensable duty of Parliament to interfere. Ministers were entrusted by Parliament; it was the duty of Parliament to see that the trust was faithfully executed.

Earl of
Sandwich.

Earl of *Sandwich* said, as the House seemed to approve of the noble Duke's motion, he should decline all further opposition.

The question was accordingly put, and agreed to.

Lord *Effingham.*

Lord *Effingham* next rose and moved for an account of the number of transports, employed by the treasury, and sent to America in the respective years, since the commencement of the present war; the tonnage of said vessels; and the price of freight and sums of money disbursed in payment thereof.

Earl of
Sandwich.

Earl of *Sandwich* made a slight objection or two to the question, and said, it was impossible to decide one way or other upon either the practicability or propriety of agreeing to the motion, till the proper officers were consulted.

Earl of
Effingham.

Earl of *Effingham* said, he did not wish to press the matter immediately, but having understood, that great numbers of vessels had sailed under the protection of government contracts,

acts, for supplying the army and navy with necessaries, many of them he believed contrary to the spirit and letter of the capture act, which excepted every species of merchandize but what came within the description of stores and provisions, he wished to learn the names of the vessels, the species of merchandize, &c ; which failed under the admiralty licenses, by applications from the treasury.

Marquis of *Rockingham* made a few observations, in favour of the propriety of the motion, and said the most scandalous reasons, to defeat the provisions of the act for preventing all trade and intercourse with our colonies had been made ; not for a general connivance, in favour of the trade with America but merely to promote a contraband monopoly, in order to enrich a few individuals, who were patronized by ministers.

It being understood, however, that the papers now called for, were not directed to the great objects of enquiry, proposed to be considered in the committee on the state of the nation. The Earl of *Effingham* consented to withdraw his motions, promising to renew them, on some future day.

Adjourned to February 2.

February 2.

The Duke of *Richmond* began with a solemn appeal to the House, whether the public affairs were not in a most perilous and truly alarming state ? Whether the war with America had not cost upwards of twenty millions of money, and the lives of many brave men ? Whether three campaigns had not passed without affording us the least prospect of a change of circumstances in our favour ? And whether it was not most materially incumbent upon their Lordships to be perfectly aware of the condition and resources of the kingdom, before they sanctified any parliamentary measure tending to authorize the hazard of more men and money, in the continuance of a war which had already proved so expensive and calamitous ?

His Grace recapitulated the various arguments which had before fallen from him, and other Peers of the same way of thinking, relative to the impolicy of continuing the contest, the probability of an attack from the house of Bourbon, and the necessity of immediately putting the kingdom into a state of defence. He then spoke particularly to the business of the day, complained of the late delivery of some of the papers on the table, and the deficiencies of many, and the want of precision and plainness in almost every one which had been presented

presented to the House. He said several were only brought in that very day, although the motion for their being prepared had been made and ordered nine weeks since; and some of those which had been only then delivered, had been before the Commons for many days. Others which he considered as very material, had not been brought at all to either House. He pointed out the difficulty that there was to understand many of them, particularly the returns of the army, from the totals stating the gross compliment of each corps although several of them were not full. and in proof of what he asserted, mentioned the return of the artillery corps serving in Gibraltar, which was returned at 500 and odd its full compliment; whereas, the number actually fit for duty was short of 250. After adducing various proofs of his arguments from the papers themselves, the Duke shewed that it was impossible to go fully into the enquiry that day. he should therefore, he declared, content himself with speaking to a single and very material point, relative to which the information afforded the House was adequate and complete.

His Grace then moved, "That their Lordships resolve themselves into a committee of the whole House," which being agreed to, Lord Suffolk moved that the papers on the table be referred to a committee, and then the Duke named the Duke of Portland as chairman. The Lords in administration almost at the same instant named Lord Scarfdale for the same office. This gave rise to a debate which lasted a considerable time.

Duke of
Richmond.

The Duke of *Richmond*, in support of his nomination said, he had no particular reason for naming the noble Duke but that his character and abilities entitled him to every honour their Lordships could bestow, and as it was always usual for the person who moved for a committee of the whole House to be complimented with the nomination of the chairman, and he had named the noble Duke, he wished the nomination might be adhered to, more especially as it would be a kind of insult to the noble Duke were it set aside.

Earl of Den-
bigh.

Earl of *Denbigh* called loudly for Lord Scarfdale, and said as the business of the committee would be arduous, and the noble Lord had been for years used to do the duty of chairman of the committees of that House, he conceived he was the fittest person to preside then, and he did not doubt but the noble Duke, who had been nominated, would himself see and allow the propriety of Lord Scarfdale's taking the chair.

Earl of *Sandwich* said, it was a rule of that House for one person always to take the chair on such occasions. That Lord Scarfsdale had often presided with great dignity and credit to himself, and that it would imply a tacit idea of his not having faithfully discharged his duty, or to the satisfaction of their Lordships, if he were now set aside. The Earl said, he had, for a great many years, sat in that House; that he remembered when Lord Delaware was the constant chairman of the committees, and he never knew an instance of their Lordships appointing a new chairman when the old one was present.

The Duke of *Richmond* said, it was an ill omen to the business, the important business before their Lordships, to enter upon it without the cordiality and amicable union of sentiment, with which he hoped to find every Lord inspired: that he was sorry to see party spirit so early burst forth, and declared their Lordships had offered no solid objection to the noble Duke's taking the chair.

Lord *Camden* contended, that there was no necessity for the chairman's being a person of profound sagacity and exalted talents. That there was not in either House of Parliament, a person of the meanest capacity who was not fully equal to the discharge of the duty; that the business was extremely simple and within the comprehension of every one present in the House, but that as the Duke had been first nominated, it was but just that he should take the chair, and that the Lords in administration opposing it, augured ill to the enquiry, and favoured of the want of candour, and that inclination to give proof of personal prejudice which he, for one, disclaimed, and had hoped would not have appeared in the course of the very important business then before their Lordships.

The Duke of *Grafton* asserted that there was no order or resolution of the House which entitled one Lord to be chairman more than another, but that, in strict duty, each of their Lordships ought to discharge the office in his turn.

Earl of *Effingham* said, if Lord Scarfsdale had so often done his duty, it was, in his opinion, an argument why he should not then be troubled, but that the House ought to thank him for what he had done, and resolve to relieve him from the same trouble in future.

Earl *Gower* observed, that the usage of the House was in favour of the noble Lord, who always presided in committees of the whole House; that if, as had been asserted by the noble and learned Lord, that it did not signify who took the chair,

chair, and that the office might be discharged by the means of capacity, why then depart from the established mode of proceeding? and if the present contest, who should fill the chair, predicted any thing, it must be, that the noble Duke meant to create a difference of opinion about a matter, which he and his friends acknowledged was of no sort of consequence.

Earl Talbot. Earl *Talbot* said, he saw no reason for proposing a new chairman, but now the noble Duke was proposed, he was of opinion, that it would imply some degree of disrespect to reject him. He was sorry to see a difference of opinion arise upon a matter of little consequence, but in compliment to the noble Duke who named, and the other noble Duke who was proposed, he recommended to his noble friends near him, to consent to the first nomination.

Lord Dudley. Lord *Dudley* allowed, that in the other House it was usual for the member who moved for the committee, to name the chairman; but in that House, the usage had been uniformly otherwise; because the chairman in committees of the whole House, if present, is looked upon in the light of perpetual chairman. Such being the rule, in his opinion, those who attempted to depart from it, testified a spirit of party, not those who wished to adhere to it.

Earl of Sandwich. Earl of *Sandwich* repeated his arguments in favour of Lord *Scarsdale*, and at length their Lordships divided upon the question whether the Duke of Portland should take the chair when the numbers were, contents, 33; not contents 58.

Duke of Richmond. As soon as Lord *Scarsdale* took the chair of the committee, his Grace the Duke of *Richmond* informed their Lordships, that he had sufficiently explained the importance and great objects of the present enquiry, and after the best judgment he was able to form on the great outline of the army, would be to enquire what the force was in America in 1774, the year preceding the breaking out of the American war, what were the troops foreign and native, sent from hence the three succeeding years; and by comparing the latest returns with the whole of the troops in America, or sent thither in the years 1774, 1775, 1776, and 1777, whatever the deficiency might appear, that would be the real loss of men by death, wounds, captivity, sickness, and slain in battle; and deducting out of this deficiency, those sick or captives, the remainder would give the total and actual loss. A similar mode of computation, would answer for the navy. Next, it would be proper to enquire into the expences already incurred in

the prosecution of this destructive war, and our resources in men and money, for another campaign. This would be doing business properly; it would inform us, of what we had spent, and what it would cost us for the next year. It would lead us to enquire, what we were likely to get in return; but above all, it would urge us to consider seriously of the probability of succeeding, and instruct us, if what we sought was equivalent to what we were about to risque, or if equivalent, whether the object was attainable. His Grace acquainted their Lordships, that the part of the enquiry, which he intended to enter into this day, would be confined to the state of our military defence within these kingdoms. He then proceeded, to the performance of this task with solemnity suited to the great interests of the nation, which were to be taken into consideration; and with a candour, coolness, and precision, no less calculated to fix the attention of the august body whom he was going to address, than to conciliate the good opinion, and court the confidence of those who might be supposed to differ from him, he opened the leading objects which he meant to obtain in the course of the intended enquiry. His first observation was, that at no time were the affairs of this country in a more alarming and critical situation. The very business their Lordships this day went upon was the most irrefragable proof of it. It imported, on the very face of the order now read, that their Lordships were convened to enquire into, to deliberate and decide upon, the present tremendous state of this country. He never meant to conceal, because he looked upon it to be his duty, as taking a leading part in this great business, to explain to their lordships the objects he wished to obtain by his several motions for papers; and the grand object of all, to determine on the most safe, honourable, and speedy means of putting an end to the American war. In the first instance, it would be proper to point out some preliminary matters, well worthy the consideration of the House. Our ability to carry on the war in America, so as to obtain the final object to which it has been hitherto avowedly directed, that of compelling our colonies to yield to unconditional submission; and supposing, contrary to the most decisive experience, that that object was clearly attainable, the danger of wasting our resources of men and treasure; and while, in the act of exhausting both, the danger of leaving these kingdoms in a defenceless state, and of course at the mercy of foreign powers. If, in the course of the enquiry, it should come out, that the first was totally impracticable,

though no other impediment, more than had hitherto obstructed the execution, should arise; if the interference of foreign powers, as to the second contingency, should break the thread of the measures pursued for the last three years; in either of these events, it would follow, that the plan was impracticable. Out of both those considerations, another would most certainly arise, not directly connected, though originating from the American war; that was, the opportunity it would give our rivals in power and greatness to avail themselves of the weak state of the home defence; and from the circumstance of our fleets and armies being on the other side the Atlantic, meditate some blow which might endanger the safety, if not strike at the very existence of this country, as a formidable and independent power. The greater part of the premises here stated was in proof on their Lordships table, particularly relative to the impracticability of conquest, and the weak state of our internal defence; and he presumed, the just suspicions we had a right to entertain of the conduct of the House of Bourbon, would not seem ill founded, when that very construction was given from the highest, as well as most authentic authority. It was the language of administration in one of their most solemn acts. The very construction now made was delivered from the throne. The words of the King's speech were, "that his Majesty had ordered a considerable augmentation of his naval force, on account of the armaments still continued to be carried on, in the ports of France and Spain." He would now proceed to apply the reasoning to the facts. He would, from the papers on the table, satisfy their Lordships that, after three unsuccessful campaigns, nothing had been effected towards the conquest of America. He would shew, that we had employed, during that period, the whole of our strength to no purpose; that our greatest exertions this year would fall considerably short of the two preceding; that we should not of course be able to effect, with a smaller army, what we were not able to do with a greater: and that, too, against an army considerably strengthened by numbers, improved by discipline, and rendered confident by success. That the last assertion was incontrovertible, though we almost stripped this country to the last man; that supposing, for argument sake, our force in America, without calling any more troops from the home defence, would be equal to what it was on the opening of the last campaign; yet, the passage in the speech, alluded to, holding out strong suspicions of hostile intentions from France

France and Spain, pointed out the necessity of procuring a suitable defence for these kingdoms.

His Grace then proceeded to explain to their Lordships his particular plan. The returns of the present state of the armies in America would shew the numbers of effective men serving there at the conclusion of the last campaign; and what would be ready to take the field early in the next; on which this plain question would arise; what additional forces could be spared, either to recruit the losses already sustained, or augment the whole army; so as from what has happened, to give a rational prospect of success in the ensuing year? This would involve in it another question, which could only be answered by administration. What treaties, or if any, with foreign powers? If there are any, will the troops taken into our pay make up the deficiencies: or are they to be made up out of the old corps in the kingdom, or the new levies now levying? If it should come out that there was no aid to be expected from the continent, then of course either the troops within the kingdom, or the new levies, must be sent to make up the deficiency caused by the last campaign; or finally, the measure of American coercion must be totally abandoned. Ministers declared the contrary; the war against our subjects in the colonies was intended to be pursued with all possible vigour. The inference was then evident, that some one or other, or all the methods mentioned, must be adopted. He hardly believed that foreign aid was much to be relied upon. He less expected that raw, undisciplined troops, could effect what veteran troops were equal to. Consequently, the deficiency and losses which the army in America sustained in the course of last year, were to be supplied from the old corps; which conclusion fairly supported, that naked and defenceless as we are, it was intended to render us more so, by stripping us of our old corps. To point out the necessity of rather adding to, than diminishing our home defence, the resolution he meant to propose this day would be more particularly directed.

As soon therefore as the committee was formed, his Grace entered into a detail of the army now in Great Britain. He laid the returns on the table made the amount to be 15,600. Out of this number, the officers commissioned and non-commissioned amounted 1230. The staff including surgeons, surgeons mates, &c. 577; the invalids 2200, who were unfit for field service; the cavalry, consisting of the horse and grenadier guards, and the blues, 400; the dragoons, consisting of dragoon guards, &c. 1400; which being

ing severally deducted from the total, would leave the rank and file to amount to about 10,600. If it was further considered that London would call for a part of this force; that the three great fortresses, which were the keys of this kingdom, would require for garrisons, [supposed to mean Portsmouth, Plymouth and Chatham] and that garrisons would be wanting for other places of strength, though not of such importance; he could not possibly see in the case of a sudden attack from France, or any other power, that we had any force we could possibly spare to meet our enemies in the field. It is true, our militia, if properly trained to the use of arms might be rendered serviceable. But he meant now to speak of troops fit for actual service, ready to meet a veteran, numerous, and powerful enemy. He did not mean to take off from the merit of the national militia. He recollected how useful they proved during the late war, and doubted not but they might be rendered so again; but the question was not now how useful they were capable of being made. The point their Lordships were most specially to consider was, what state of defence we were now in? The immediate application then he insisted to press on their Lordships from the present state of the army in this kingdom, was, to shew, in case of any such intention on the part of ministers that it would be extremely improper and dangerous to send any of the old corps out of the kingdom.

His Grace next took a view of the state of the garrisons of Gibraltar and Minorca, and of the army in Ireland. The former, he insisted, were not defended by more than half their war complement; nor the latter, by half what had been deemed necessary for its defence, both by the disbanding act passed in the reign of William the Third, and an act of the own Parliament, passed during the lieutenancy of a noble Lord over the way [Lord Townshend.] At the former period it was thought necessary to fix the establishment at 12,000 men; and at the latter, when part of the troops were drawn from that kingdom, to serve in other parts of the British empire, the Irish Parliament consented to an augmentation of 3300, on condition, and in consequence of, a royal message, delivered, as he believed, by the noble Lord last included to, that 12,000 men should be kept within the kingdom, for its defence in time of peace. He observed, that the Irish Parliament had, upon application from hence, sent 4000 men to serve in America, which, with the deficiency consequent on the difficulty of obtaining recruits, and other circumstances, had reduced the effective force in that king-

om, as he had before observed, to 4800, with musquets on
 eir shoulders.

His Grace then took a general view of the state of the mili-
 ry, both voted for home defence, and elsewhere. He said,
 at the troops for guards, garrisons, &c. were 2000 short;
 d that there was a deficiency, upon the whole of the army
 ted for the garrisons of Gibraltar and Minorca, and for
 e defence of Great Britain, of upwards of 5600 men.
 Hence he drew this conclusion, that out of the first re-
 suits enlisted, this deficiency must be made up. And even
 en, as to the home defence, it would be no more than a
 ace establishment, 17000 men were necessary for that de-
 nce in time of peace; he would therefore submit to their
 ordships, whether in so precarious and dangerous a state of
 ings, foreign and domestic, it would be at all prudent to
 rt with any of the old corps, when even it was known
 at they were so much short of what Parliament and the
 tion judged they ought to be in times of tranquillity. His
 ace then moved, the following resolution :

“ That this committee, taking into consideration the con-
 uance of the armaments in the ports of France and Spain,
 which his Majesty was pleased to inform Parliament in a
 eech from the throne at the opening of this session; and
 o taking into consideration that a very large part of our
 val and land forces are on the other side of the Atlantic
 ean, and therefore not applicable to the defence of this
 ngdom upon any emergency: and that the forces in Great
 itain, Ireland, Gibraltar and Minorca, are at this time
 s in number by 5673 men than the establishment has
 en in times of tranquillity and peace; is of opinion, that
 o part of the old corps, which are left in Great Britain,
 eland, Gibraltar, or Minorca, can be spared for any distant
 vice, without leaving this kingdom and its immediate
 pendencies in a most perilous, weak, and defenceless con-
 tion, thereby inviting a foreign war, and exposing the
 tion to insult and calamity.”

Earl of *Suffolk* said there was great impolicy in exposing to *Earl of Suff-*
 al powers the weakness of our home defence; and there *folk.*
 as great impropriety in Parliament interfering by way of
 drefs to restrain the exercise of the crown, in the controul
 d direction of the military force of the kingdom. He con-
 nded, that the effect of the resolution, if agreed to, would
 tying up the King's hands from pursuing those very objects
 hich had been recommended by Parliament. It was the
 erent prerogative of the crown, to have the raising, di-
 recting,

resting, and employing of the military force of the kingdom; to restrain that exercise, or regulate it, would be in fact to suspend it. He said, it was not on the army the defence of this kingdom depended. The navy was our surest and best bulwark. Our fleets were hitherto irresistible; our navy was at present in the most respectable condition; and when that part of the enquiry came before their Lordships, he had every reason to expect that the state of the navy would even surpass every thing which had been predicted of it. He observed, that the present numbers of our army, which had been stated by the noble Duke, proved nothing. Were they inferior to what they were the three preceding years? Most certainly not. The noble Duke supposed what was far from being certain. He supposed that rival powers entertained hostile intentions against us. So it had been said on former occasions repeatedly; but nothing had yet happened to justify those assertions. As to the resources we had in men, little could at present be said on that subject. When the time came to propose any measure of that kind, would be the proper season to discuss it. The noble Duke, in his opinion, had drawn an inference from a passage in the King's speech, extremely unjustifiable. He supposed, that the reason his Majesty recommended an augmentation of the navy in his speech, from the throne, was because armaments being continued in the ports of France and Spain, that those powers meditated some sudden and decisive blow against this country. Now taking the present flourishing state of the navy, and the conduct of France and Spain into consideration, he was inclined to think, that if nothing else, our state of preparation was no bad pledge of natural security. The truth was, that we had repeated assurances from the courts of Versailles and Madrid, of their pacific intentions; but as armaments were going forward and continued in their ports, it was thought proper by his Majesty to recommend to his Parliament, to put our navy in a respectable state of defence. And it was impossible, in the course of our political events, solely to rely on assurances. The nature and extent of dependence which ought to be put on the disposition of foreign courts, varied with circumstances; sometimes they created an alarm; sometimes they deserved more credit than at others; sometimes they contradicted themselves, within a short period; and again gave the most satisfactory explanations. Yet supposing the worst that could happen; supposing that every thing suspected, should be realized; he thought it extremely imprudent, to invite a war, by either

telling

telling our foreign rivals in power or greatness, that we were unprepared or unable to meet an enemy. The motion made by the noble Duke tended to prove the first; his Grace's arguments went to prove the second. If we had not men sufficient to defend us, they ought and must be procured: but he trusted that was not the case; a very short time would enable administration to provide every thing for our defence, in the worst event; and every thing necessary for carrying on the measures to induce our rebellious subjects in America to return to their duty, upon reasonable terms of conciliation: and as to the stripping this country of all the old corps, it was never in the contemplation of ministers. It might be thought proper to send some; but it was never intended to send all. On the whole, there was no particular reason to believe, that foreign powers had any intention to break with us; if they had, he had every reason to be satisfied, we were fully prepared; and if the general interests of the empire required it, he had no doubt but that we had resources fully sufficient to resist the most powerful attacks of our enemies.

Lord *Dudley* said, he was surpris'd that the sole defence of Lord *Dud-*
the nation was supposed, by the noble Duke who made the *ley*.
motion, to depend upon our military force within the king-
dom. For his part, he had all along, from his earliest days,
been taught to securely rest on other resources of strength,
such an eventual calamity as an attack or invasion of a
foreign enemy. He said, to suppose that an invasion from
France was a matter in contemplation, was a most extra-
ordinary supposition, and must be accompanied by another
still more improbable, which was, that it might be effected
without administration having any previous knowledge of
any such intention. The truth was, that there was not the
most distant appearance of any such design; that though
there had, experience had fully confirmed the impracticability
of such an attempt; for there was no instance in the annals
of this country, in which an invasion had succeeded, while
we continued masters of the sea. If, however, any sudden
necessity should arise for augmenting our land force, it was
well known, that our militia, as they proved on a former
occasion, during the late war, would be of the most signal
and essential service, and though they should not be at pre-
sent on quite so respectable a footing as during a part of the
late war, they could be soon rendered so. Besides, in the
possible case, supposed by the noble Duke, every man, it
might be presumed, would arm in defence of his country,
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in the final preservation of the state. He recollected, when the plan of the militia was first struck out, it was proposed to raise 63,000 men. It was afterwards thought proper to raise but half that number; but in case of a foreign invasion, when every thing dear and valuable was to be contended for, it was reasonable to expect, nay to be sure, that every member of the community would come forth, the nobleman from his palace, the landed gentlemen, the great body of manufacturers, and labourers, would all unite to repel the attacks of the insolent and daring invader: in fine, the spirit of the nation would be its best security in the day of distress, should that ever arrive; and as to the resolution, he thought it would be extremely improper at the present crisis; it could be productive of no good, and might possibly suggest ideas to our natural enemies, which they would otherwise never have entertained; on these grounds, therefore, he should give it his most hearty negative.

Duke of
Manchester.

The Duke of *Manchester* said, that the militia was not in the respectable state affirmed by the last noble Lord; that when, during the last war, the militia proved so very useful, they were then upon entirely a different footing. Substitutes were not admitted; the proper gradations in rank were carefully attended and adhered to; the body of the people were satisfied of the justice and necessity of the war they were engaged in, and the superior obligation of doing every act on their part dictated by that necessity. His Grace spoke to several other parts of the question, arising from the resolution moved by his noble friend, and observed, that not a single solid objection had been made to it: the facts were before the House; no man offered to controvert or contradict them. The inference drawn from the passage in the speech from the throne, was no less evident; on what ground then the opposition of the noble Duke's motion arose, was more than he could possibly account for.

Lord Lyt-
leton.

Lord *Lytleton* said, if the resolution was agreed to, it would amount to a public acknowledgment, that we were unable farther to prosecute the war in America, or assert the rights of this country over the colonies. It would be an actual declaration, on our part, that we were neither able to defend ourselves, or chastise our rebellious subjects; and of course would be a direct invitation to the different branches of the House of Bourbon, to attempt an immediate invasion of this kingdom. He condemned, the impolicy of developing our national means of defence; observing, that such a disclosure would operate both as to defeating our claims over the

the colonies, and as shewing the people of America how unequal we were to the task of obliging them to return to their obedience; or of securing ourselves against the designs of our rival neighbours. He trusted, however, that the affairs of the nation were not in the desperate situation they were attempted to be held out to the public this night. The resources of the nation were great: its spirit was correspondent to them; there remained one man [Lord Chatham] who disapproved of rendering, or consenting to render, America independent of this country. He dissented greatly and wisely from those who entertained a different opinion; and if war should be finally decided upon as necessary to be continued against America, or should be commenced in our own defence, he was still, he trusted, equal to the conducting that war, and of carrying it on with success. So well conducted, and thus supported, he did not doubt but the effect would answer the most sanguine expectations of the real friends of their country. Be that as it might, in every point he had viewed the present motion, he was the more confirmed in its impropriety, and, if assented to, its certain bad effects; it would be a public confession of our national weakness; as such, he would never consent to embarrass government in the first instance; nor make a public confession of what, if true, should most certainly be concealed from our enemies. Though he objected to the motion, he did, and ever should, approve of submitting to Parliament every fact which could promise to convey proper information. Parliament ought to have it; they were entitled to it. The calculations of the noble Duke, he presumed, were strictly accurate; and if ministers were culpable, they deserved censure. Nothing of that nature, however was so much as suggested. The fact meant to be established was, that our force was unequal either to the object of home defence, or of asserting our dominion over America. If either was the case, they should be concealed, not only from foreign powers, but from our colonies, who, it could be no longer denied, had endeavoured to rival this nation, as well in power as in all its consequences. His Lordship expressed his highest disapprobation therefore of agreeing with the resolution moved by the noble Duke; but if he had no other reason than that of invading the prerogatives of the crown, in the constitutional exercise of the executive power, that alone would be sufficient, as it would be the direct effect of the resolution, if agreed to.

The Duke of *Richmond* replied, that he expected to have Duke of
heard some of his assertions refuted before any Lord would *Richmond.*

object to a motion, which the necessity of the times loudly called for. He said, all that had fallen from the noble Earl in office, only went to an assurance that administration might be trusted, and that at a proper season they would secure the kingdom. Too much confidence, his Grace declared, had already been placed in the assurances and promises of ministers; in consequence of which, America was nearly, if not altogether, lost; three fruitless campaigns had passed, and we were on the brink of ruin. The Duke repeated his arguments on the propriety of his motion, and added, that it was the duty of their Lordships to advise the crown of the danger of the kingdom.

Earl of
Effingham.

Earl of *Effingham* remarked, that neither of their Lordships in office, so much as offered to controvert a single fact. The premises were acknowledged to be true; the ground of objection stated was, that it would be a public declaration of our national weakness. He could hardly believe that their Lordships, when they said so, meant to be serious. Did any noble Lord in that House want to be told, that the facts stated in the resolution were already known to our foreign enemies; nay, long before ministers were compelled to impart them to Parliament? Certainly not. Administration were sufficiently apprised of this circumstance; it was therefore evident, that every argument built on such an absurd supposition, as that the House of Bourbon were ignorant of the state of our land forces in Great Britain, was at an end. Consequently, when ministers objected to the propriety of the resolution, it could only be to prevent a vote of Parliament, which would tell the great body of the people our real situation, our internal weakness; pointing to the certain conclusion, that the conquest of America was impracticable, that it was dangerous to pursue it any farther, and that there was an indispensable necessity for holding out reasonable terms of accommodation to our colonies. But he would admit for an instant, the most improbable of all improbable things; he would grant, that France or Spain knew nothing of the state of our national defence, previous to the moving this resolution: he would even push this possibility a step further, that the vote now moved, though administration acknowledged the facts, would be discredited, if it should receive a negative; but would be believed, if it received their Lordships sanction: allowing all this, he still contended that it could not be productive of disclosing our national weakness, because the vote would be understood, by foreign powers, as the first introductory measure of putting the nation in a

stat

te of defence, sufficient to repel any attack which might possibly be in the contemplation of our enemies.

Lord *Camden* ridiculed the idea of mock secrecy, affected the noble Lords on the other side, as the most barefaced

Lord *Camden*.

mult ever attempted to be put on the good sense and understanding of that House. The notion of conquering America is absurd at any time, but more so now, when France had every thing, but mere form, declared America independent. He reminded their Lordships, that the present perilous situation which this country was now in, had been frequently foretold in that House. He particularly adverted to the fact, stated very early by the noble Duke in the blue ribbon near him [Duke of Grafton] of the two French gentlemen, who went to Mr. Washington's camp near Boston, in the summer 1775, and from thence to the Congress at Philadelphia. This, he believed, was the first foundation of the connection between France and the colonies. Though the fact had happened several months before it was mentioned to their Lordships, yet administration seemed totally ignorant of its reality, and treated the transaction as originating in a mere spirit of curiosity, or mercantile adventure. What was the consequence of this first overture on the part of France? Early in the next summer the Congress send Mr. Deane to the court of France in a public character; he followed by Dr. Franklin the next winter, who is armed with more complete and extensive powers. Henceforward every substantial effect of the most solemn amity and alliance issues. France opens a trade with our colonies; she sends us arms, ammunition, cloathing, and officers to discipline our troops, and instruct them in the art of war. During the whole of these transactions, remonstrances are made, protests given, explanations added; but still France, by one means or other, persists in the same conduct. Ordinances are issued; those ordinances are no sooner made public, but they are evaded, altered, or modified in such a manner as to amount to nothing. In fine, France effects, by repeated modes of evasion, her utmost wishes; sometimes holding a firmer language, at others a more moderate, and again making declarations of the warmest friendship, till at length she completes the first part of her plan, that of *disuniting* America from this country, and giving our colonies just that species of assistance which has enabled them now to defy our most vigorous exertions. She enabled America to do what, we presumed, no Lord in that House would controvert.

America

America could have never effected, without her, to withstand the whole power of this country.

Whether administration saw this in the early stages of the contest, or not, he would not pretend to determine; but he could say, that they had been repeatedly told of it; and that when too late, they began to be undeceived. For notwithstanding the pacific assurances, and the delusive private promises, and public acts, which had been boasted of with so much parade, it is now known that the ports of L'Orient and Nantz are blocked up by a British naval force. Three frigates are now cruising off those ports, to intercept succours going to America, and to put a stop to that very commerce which the French King, in his public edicts, pretends to prohibit. If ministers should carry their threats into execution, and, from remonstrating, resort to open force, he had not a doubt but a war must be the consequence. He presumed, that there was not a single member in administration would dispute it. He insisted that France be the occasion what it might, meant from the beginning to take part with America in the contest. He was equally certain, that she intended a war with this country, when the proper season should present itself. That season was almost present, and he was perfectly satisfied that a war with the united power of the House of Bourbon was approaching. It was certain in all events, and he had strong reason to believe, was not far distant.

On the only two serious grounds on which the present state of this country could be defended, much had been said by the noble Lords who opposed the motion. The first was the very formidable and respectable state of the navy; the second, the just dependence we ought to have on that constitutional mode of defence, our national militia. Our navy was styled our great bulwark: it was represented as irresistible and invincible. No Lord, in that House, entertained an higher opinion of the prowess and skill of our seamen than he did. The state of our navy not being properly in the contemplation of the committee, he should defer giving his sentiments on the subject till enabled so to do from the papers on the table; but as that matter was already taken and granted, and relied upon accordingly, in argument, on the other side; he thought it his duty to declare his opinion how far such a defence ought or ought not to be relied on. He would first premise, that however bold, brave, and skillful our seamen might be, he thought it presumptuous to say they were invincible. He was willing to believe, and experienced

ience had taught him to expect, that when a British fleet is equal in point of strength, number, &c. they would avail; but allowing this, he should be extremely sorry to be in the confidence of our superiority, either as to naval or personal bravery, that we should ever risque the fate of this country solely on our navy. Every kind of war, but even all, operations at sea, were liable to accidents, or might be controuled by Providence. Winds, tides, &c. were not at the disposal of human policy; nay, though all else should tend to hold the balance even, the conflict might terminate in our disfavour, and, according to the conclusions drawn from the consideration of our naval superiority, might end in our total destruction, if, in consequence of a defeat, a numerous, powerful, and well-disciplined enemy could land in this kingdom. The race was not always with the swift, nor the battle with the strong. Besides, there were instances, more than one, within his own memory, in which, though we had acknowledged superiority at sea, yet, from other circumstances before alluded to, that superiority denied its aid in the manner contended for. One was, when there was a very formidable and alarming armament at Dunkirk, in the year 1743, at which time, the winds being unfavourable to the British fleet, the invasion must have been effected, if the embarkation had not been prevented by a storm, which destroyed the transports, vessels, boats, &c. destined to carry the invaders to the British shore: the other was of a later date, when a noble Lord absent from his place [Lord Hawke] had the honour of defeating the fleet under Monsieur Conflans, in the year 1759. Indeed, it required very little argument to prove the absurdity of trusting the protection, safety, nay very existence of the nation, to so precarious a defence as that of our fleet alone. It was well known that France had at all times a powerful military force, in the vicinity of our coasts; and it was equally as well known, that in the space of twenty-four hours she might, pressing fishing-boats, small craft, &c. have it in her power, from Calais, and other ports in the channel, to invade us with such an army as would drive us to the necessity of fighting for our very existence and independence as a nation.

His Lordship entered, besides, into the consideration of that little dependence we ought to have on our militia, in its present wretched and undisciplined state: and concluded with giving his assent to the resolution, on the ground, of national security, at the present tremendous period, called

called for a suitable military defence ; and that of course none of the old corps, in the terms of the resolution, could be spared out of the kingdom, without hazarding the most dangerous consequences.

Earl of
Sandwich.

Earl of *Sandwich* paid several ironical compliments to the noble Lord who spoke last, on his great knowledge, talents, and volubility of speech, but which, in the present instance, he feared had run away with his judgment. He presumed the noble and learned Lord did not mean to expose our national weakness by assenting to the motion. He supposed the contrary ; and was inclined to think so from the noble Lord's own argument ; for surely if his Lordship imagined the nation to be in the weak and defenceless state which had been represented by his noble friends, and which the resolution was supposed to import, he could never have brought himself to point out the means of invading us, or instruct our enemies to attack us with success : he could never have described the wretched state of the national militia, or asserted, that a British fleet might be beaten upon equality ; that the uncertainty of winds and tides rendered our naval defence precarious, and not to be at all dependent on. Much less would the noble Lord have alluded to instances in support of those arguments, and, on the whole, have contended, that in spite of our naval superiority France might, at any time, in the space of four hours [Here his Lordship was corrected, by being informed it was twenty-four hours] collect flat-bottomed boats, fishing vessels, and other small craft, and land an army in this island without interruption, or indeed a seeming possibility of miscarriage. His Lordship having dwelt a considerable time on those circumstances, next proceeded to expose what he called the absurdity ; he said, his Lordship possessed such transcendent abilities, such a crowd of ideas, was blessed with such prompt utterance, and such a weight of eloquence, he was always happy in hearing him speak on subjects he understood ; he assured him, he never desired to find him on salt water ; that he was clearly out of his element. This being the case, though he would scarcely venture to contend with the learned Lord upon any other subject, he would take the liberty to set his Lordship right ; previous to which he thought proper to give his general sentiments as to the effect of the enquiry. He said he was, from the first steps taken in the business, totally against disclosing any matter which might tend to expose to foreign powers the state of this kingdom, or, in general, that of our naval or military strength ;

reasons were, that whatever was said in that House, immediately got abroad. He had heard, not long since [alluding to a noise made upon re-entering of the House, after the first division] a great bustle, occasioned by people, supposed, entering the House by force. He perceived that the space below the bar was crowded; he would not determine on the propriety or impropriety of admitting strangers; but certainly it was a fair consequence to draw, that foreign powers had their emissaries in that House, who could, by the very first opportunity, transmit home an account of what was then passing. Such being the case, he could have hardly thought it necessary to reply to the matters thrown out by the learned Lord; but that his silence might be construed into an acquiescence in what had been said by his Lordship. On this account alone, he begged the indulgence of the House for a few minutes, on the subject of what came within his own knowledge, both as a member, and as presiding at the admiralty board.

On the first fact alluded to by the noble Lord, relative to the armament at Dunkirk, when the late Marshal Saxe came there, to command the troops destined to invade this kingdom, he contended, that the project was deemed wild, absurd, and impracticable; and the event proved it was so; the vessels being obliged to lie in an open, dangerous sea, the first heavy gale of wind which happened destroyed the transport vessels, dashed them against each other, which led to their destruction, and defeated the project. Independent of this circumstance, he said, as long as we have a superior fleet, no embarkation at any port in the channel can possibly succeed. And even while the armament at Dunkirk was pending, he saw hogsheds of letters, both from persons resident at Dunkirk and elsewhere, and from officers serving in the intended expedition, totally reproving the folly, absurdity, and impracticability of the attempt, and earnestly wishing all thoughts of it were laid aside.

His Lordship next ridiculed, the learned Lord's assertions of an invasion from Calais. The learned Lord must first suppose, that an armament at that, or any other port on the French coast, in the channel, could be collected, without having any previous knowledge of it; and his Lordship must likewise suppose, that, when collected and ready to move, our fleet in the Downs would rest inactive, and let the armament pass without destroying it. But even granting

that all impediments of this kind were removed, where could the enemy land? Such an armament, consisting of flat bottomed boats, &c. could not be supposed fit to keep the sea; if not, then he should be obliged to the learned Lord, to land, as well as he had collected, this armament.

His Lordship then replied to the learned Lord, on the subject of the militia. He said, his Lordship had been almost as unlucky in his military, as in his naval assertions. His Lordship seemed to be equally ignorant of them both. He had condemned the employing of substitutes in the militia; now in his apprehension, and experience had confirmed him in it, the employing of substitutes was the very circumstance which rendered the militia respectable; and would, if occasion should make it necessary, render it formidable. Instead of giving us weak, decrepid, or wretched unserviceable men, it had a direct contrary effect. It was the cause of filling the militia corps with able men. The grocer, manufacturer, &c. who knew nothing of military discipline, was excused, upon procuring a substitute to serve for him. This man, perhaps trained to arms, strong, robust, of an healthy constitution, served as long as the law permitted him; and either instructed his comrades, if before a soldier, or, by habit of a long service in the militia, became one. Whereas in the other manner, the drawing by lot those on whom the lot fell, unused to arms, or unfit from some natural or acquired impediment, answered no end whatever. He recollected, that he had served himself, in the militia corps, now under the command of a noble Duke just gone from his place [Duke of Manchester] and what he now observed was the case, particularly at the beginning of the late war: and he had every reason to be satisfied, that if the embodying the militia, at any future period, should become necessary, the present corps could soon be rendered as useful as those, on which on different occasions, such high commendations had been bestowed.

He added, that he believed his years would excuse him from the service; the age of a militia man being limited to fifty years; and he was sure he was considerably more than that; but if he was again to serve, he protested he would sooner depend, in the moment of difficulty, on substitutes, than on men drawn by lot.

The learned Lord had talked of some of our cruizers being stationed off Nantz and L'Orient. He affirmed, he knew nothing of the matter; if the fact was so, the orders did not come

come from him. If it was true, he thought it not proper for his Lordship to divulge it; and administered one strong reason more to shew how extremely improper it was to lay before that House, or rather to publish it to the very party who might be supposed to be the most interested in such a transaction; and it might besides inform our enemies, if necessity should call for such a measure, of the destination of our naval force.

On the whole, he thought it extremely imprudent, if not highly censurable, to expose our weakness, if any such weakness existed; and if it did not, the folly or blame was still increased; but above all, his Lordship condemned such parts of the learned Lord's speech, as tended to invite a capture with, or an attack from our foreign enemies.

The Duke of *Grafton*, said he disapproved of the manner Duke of
Grafton. adopted by the last noble Lord, who spoke in the discussion of matters of such singular importance. He disclaimed every idea of introducing jest and merriment on the present occasion. He charged administration with all the evils that at present threatened this nation; and reprehended, in terms bordering upon reproach, the authors of the implied imputation thrown out on those who obstructed the measures supported by the noble Lord. His grace observed, that the main argument used by his Lordship was of the most extraordinary kind he ever heard. "Opposition have testified their dissent of such and such measures; they have foretold the events that would happen in consequence of them; of course, opposition were the cause of those unhappy events." This, he insisted, was a language not to be endured. He trusted, that the day of enquiry and retribution was not far off; that the day was swiftly approaching, on which such a defence dare not be avowed; or, if set up, would not be accepted of. He contended, that the nation had been betrayed, misguided, and misled; and that every mischief which had already been brought upon us, or threatened the nation, had been occasioned by the inability, treachery, or design of those to whom the conduct of public affairs had been entrusted. From ministers every evil originated; from them of course redress or satisfaction would be ultimately sought and obtained. The Sovereign was surrounded by such men; he was advised by evil counsellors. The nation, in consequence of their power and influence over the Sovereign, was led to the brink of ruin. It was now become absolutely necessary that such councils should continue no

longer to operate or mislead. The nation called for other men and other measures; and he was certain both would be required, and must be obtained. The throne was not only surrounded by weak, but he feared wicked men. In the general mode of conducting the affairs of government, ministers were supported in carrying through doubtful measures, not in their possible consequences of any great importance; if on such occasions, even improper compliances took place; and that an acquiescence might be fairly interpreted into a support of government; if, in such a supposed case, the influence of the crown, and the power of those acting under its authority, might be supposed, on account of favours granted or promised, to bias the general conduct of Parliament; the evils resulting, if any, from this influence and these motives, might be remedied, or removed, when they were discovered; but in a case like the present, when the very existence of the nation depended on the issue, he hoped no man would suffer himself to be led by such an improper influence, or to be guided by such base, sordid, and unworthy motives. He was once in office himself; and by every light he could obtain then, and both before and since, he was fully justified in affirming, that the nation, should the measures now pursuing be persisted in, let the promised event of them be what they might, could not much longer bear the burden. What he was now going to offer, was but the opinion of a private man; but on his information was not very ill founded indeed, he could venture to affirm, that a war with France was swiftly approaching. He would not pretend to fix the exact time; but he undertook to say, it would take place within the period of three months at the farthest, if a peace with America was not immediately agreed to. A peace with America he ventured to predict would ensure the continuance of peace with our natural enemies; without that, a war with the latter was inevitable.

His grace next endeavoured to shield his learned friend from the wanton attacks of the noble Lord who spoke before him. He confirmed the fact alluded to by the learned Lord relative to the affair of Conflans's fleet; and lamented the absence of the noble Lord [Lord Hawke] who could have so properly informed their Lordships on that subject, as well as several other matters mentioned in the course of the debate. He said, he well remembered that we had notice of a very formidable armament being preparing to sail from Brest.

rest in the winter 1759; and that Sir Edward, now Lord Hawke, was ordered to watch its motions. What was the consequence? The admiral stationed off Ushant, where he was ordered to cruize, was blown into Torbay by contrary wind. The same wind that compelled him to return to Torbay from his station, served the French fleet under Conflans to come out of Brest water, and to collect the transports, in order to proceed towards Ireland, to invade that kingdom. So matters stood at the very instant Providence interposed. A brisk wind sprung up, not only to enable the admiral to quit Torbay, and return to his former station, but to catch the French fleet, struggling with a hard gale to pull their transports out of port; from which his Grace drew his inference, that our naval defence, however superior or formidable, was not sufficient, solely, to protect us from an invasion.

The Earl of *Sandwich* denied that the present ministry were unpopular, and said, that in all probability the people would not, were they out of office, ask the advice of any Lord on the other side the House. He added, that our fleet was sufficiently strong to repel any naval force that could be sent against us.

Upon the question being put, that the noble Lord do leave the chair, the committee divided, when the numbers were, contents, 34, not contents 91.

Committee adjourned to February 6.

House adjourned to February 4.

February 4.

The Earl of *Abingdon*. When I made my last motion to our Lordships for a call of the judges, in order to take their opinions upon the legality of raising regiments for his Majesty's service without the sanction of Parliament, I had no reasons for doing so.

My first reason was, my own conscious want of legal knowledge to decide upon so important a case.

My second, that the twelve judges, like the twelve apostles, being upright men [and yet, my Lords, even among these apostles, there was one Judas Iscariot, who, as that revered bench will tell us, betrayed his master; and with a kiss to my Lords. God forbid, that under such semblance of attachment, there be any Judas Iscariot among our judges!] I say, my Lords, that the judges having not now on the steps of corruption [for, my Lords, corruption has taken a higher course, and it is our legislators, and not our judges,

judges, that are corrupt] I was in hopes to have found in them, or at least in a majority of them, an honest and unbiassed opinion.

These, my Lords, were the motives of my motion: but there was still other ground I had to rest it upon. I had conceived that the judges, being the constitutional attendants of this House, to advise with them in points of law was the very reason of their being so; and that it was a right in every peer of the House, for the more safe and better direction of his vote and conduct, to call for their attendance to this end: but, my Lords, instead of this, I find that none have a right to information that are not in the majority. If the majority think fit, the judges may give their opinion; if they do not, the minority must remain in ignorance.

It has been objected, that no single Lord has a right to call for attendance of the judges. In the first place, I deny the fact, that any single Lord did call for their attendance. It was the voice of many, and of those who ought to have the greatest weight with this House; but if it had not been so, and I were alone in this motion, I would maintain the privilege in my own person. Let the journals of the House shew an order to the contrary.

Another objection was on account of the inexpediency of putting such a question to the judges. Good God! My Lords, can it ever be inexpedient to know right from wrong? Can it be inexpedient to determine legality from illegality? Is it not our duty to do this? I only ask to have the laws of the land expounded to me. I required nothing illegal; all I desired was information; intending, that in this mode of raising men was legal, to propose an association of the independent whigs of this country, for the purpose of embodying troops to defend the King and preserve the constitution. If it be illegal, how durst ministers countenance and encourage illegality?

A third objection was, that I had not proved the fact that regiments were raising without the sanction of Parliament. My Lords, this quibble might well become a pleader at the Old-Bailey, but it was unbecoming of him from whom it came, and of the dignity of this House. Your Lordships would hardly force one of yourselves to bring witnesses to the bar to prove a fact of so much notoriety. But, my Lords, I will trouble your Lordships no more upon this head. Perceiving that the present ministers are ready to vote away the privilege

privilege which a better ministry would wish to preserve, I will withdraw my motion for the attendance of the judges, and will take the sense of this House upon those points which are intended to be propounded to them.

My Lords, it cannot be expected of me, that I enter minutely into the discussion of the great and important question that I am now about to submit to your Lordship's consideration. As this would have been the business of the judges, had they attended, so must I now leave it to the better and the better informed of this House: but, my Lords, as your Lordships may expect my sense of this matter, it is my duty not to withhold it from you.

My Lords, I will read to your Lordships an advertisement from a public paper, which I have in my hand.

[Here the advertisement from the London Tavern was read. *]

My Lords, if this be not unconstitutional, I know not what is. In my poor opinion, it is not only the most notorious violation of the rights of Parliament that has happened since the levying of ship-money, but when I compare the cases together, and consider what has been done since the establishment of our constitution, I can see no difference between them. They both, to me, appear equally unconstitutional.

Charles the First, exacted money from his subjects, without the authority of Parliament. Here, my Lords, is a set of contractors, under the immediate influence of the crown, and would-be-contractors, with such like vermin of the state, entering into a very large subscription of money [pending the sitting of Parliament, and without its authority] for raising men to serve his Majesty, in what manner he shall think fit.

I am aware, my Lords, I shall be told, that the one is a voluntary act, and that the other was the effect of compulsion; but this, my Lords, makes no alteration in the case. It was the thing obtained, and not the mode of ob-

London Tavern, Jan. 17, 1778.

At a meeting of several merchants and others, friends to their King and country, in order to support the constitutional authority of Great-Britain, over her remote colonies in America. It was unanimously resolved and agreed, that a voluntary subscription be opened for the above purpose; and that the money therefrom, be applied under the direction of a committee of the subscribers, in raising men for his Majesty's service, in such manner as his Majesty's wisdom shall think fit.

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taining it, that constituted the illegality. It was the money that Charles wanted, that he might have nothing to say to his Parliament; and whether he obtained it by exaction, or by gift, the danger and the illegality were the same.

It is true, the petition of right says, "that no man shall be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent by act of Parliament;" but, my Lords, it is not by the letter of the law that Parliament is to be directed, but by its meaning, and the spirit of the constitution. And, my Lords, what is the meaning of the law herein, and the spirit of the constitution? It is, my Lords, and no Lord of Parliament will venture to deny it, that the King shall receive no supplies but through the medium of Parliament; for this is to make the King independent of Parliament, and to make Parliament an useless burthen upon the nation. Money is power; money produces armies, and against armies the liberties of this country cannot contend. And yet, my Lords, here is money subscribing, in vast sums, for raising armies, to the use of the crown, without grant of Parliament.

My Lords, I will repeat and aver, that there is no difference between this case, and the case of ship-money; for the crown is dependent on Parliament for every national supply. Let us now see what the bill of rights says:—

The bill of rights declares, "that the levying of money for or to the use of the crown, by pretence of prerogative without grant of Parliament, for a longer time, or in any other manner than the same is or shall be granted, is illegal." My Lords, to levy money is to raise money. I know no other meaning belonging to the term; and is not this then raising money to the use of the Crown without grant of Parliament? and for the worse purpose too—for the purpose of raising men in arms; not, my Lords, [as has been suggested, to mislead this House] as recruits for the army voted by Parliament, but as new regiments, for the wisdom of the crown to dispose of.

But now, my Lords, I shall be told that this has been done before. I shall have precedents quoted upon me, and I shall hear that the same thing was done in the last rebellion. But, my Lords, besides, that precedent cannot alter the constitution, upon what plea was it done? Upon the tyrant's plea: the plea of necessity. England was invaded by Scotch rebels, and the now loyal county of Lancaster was in rebellion too, against his present Majesty's grandfather.

This was the necessity, and I hope it will never exist again; but even when this necessity urged the measure, what was said against it?

I will tell your Lordships from a speech of Mr. Humphry Denham, in the House of commons, in the year 1746; he said, "I must observe that this way of raising money for public service, by the subscription of private men, is an incroachment upon the privileges of this House, and such dangerous consequences to the liberties of the nation, that, in my opinion, it highly deserves our censure."

This was the language, even in those days, when we had rebellion raging even in the very heart of the kingdom; and if it was then thought an incroachment upon the privileges of Parliament, and of dangerous consequence to the liberties of the nation, what must it now be, when the rebellion, if it be a rebellion, is 3000 miles distant from us?

There is one thing more I will bring to your Lordships' notice.

The only excuse, for I will not call it an argument, I have ever heard of the right of Parliament to tax the colonies, and of course for this nefarious war, is "that if the colonies give free grant to the crown, as has been customary to them upon requisition, the crown might become independent of Parliament for supplies." This was the cry of ministers, to hide their worse designs. This was the doctrine of our pulpits. It was the terrifying apprehension of Parliament; and therefore, say Parliament, the Americans shall not give and grant their own money to make the crown independent of Parliament, but we will give and grant their money for them. Let us not then, my Lords, suffer that to be done under our very noses, which was the pretence of levying a savage war upon America.

Shall thousands and tens of thousands of pounds be laid at the feet of the crown, without even the knowledge of Parliament, and those who do it receive honours from the crown for so doing, whilst we remain unconcerned spectators thereof? My Lords, let our example inform the other House of Parliament of its danger. I confess, my Lords, I am alarmed at these proceedings, and I will tell your Lordships why.

When Tories, Jacobites and Scotchmen, are the first advisers for taking away the liberties of three millions of his Majesty's subjects in America, and are now the first to take arms in this country, common sense tells me, that there

is something more in this than mere loyalty to the House of Hanover.

It is my loyalty then to the King, it is my duty to Parliament, and my zeal for the liberties of the people, that is the cause of my alarm. These are the motives, which, from much loved retirement, has brought me forth into the busy scenes of life; and which nothing could reconcile to my disposition but a sense of my duty.

My Lords, I will now submit to your Lordships, two resolutions for the adoption of this House, without any other recommendation of them than their own importance.

“Resolved, that it be the opinion of this House, that the giving or granting of money, as private aids, or benevolences, without the sanction of Parliament, for the purpose of raising armies for his Majesty’s service, is against the spirit of the constitution, and the letter of the law.

“Resolved, that it be the opinion of this House, that the obtaining of money by subscription, and under the direction of a committee of the subscribers, to be applied in raising of men for his Majesty’s service, in such manner as his Majesty shall think fit, is not only unconstitutional and illegal, but a direct infringement of the rights, and an absolute breach of the privileges, of Parliament.”

Earl Gower. Earl Gower said, such language as had been made use of by the noble Earl, had never before been uttered in either House of Parliament.

Lord Cardiff. Lord Cardiff said, the Scots had wiped off the stigma of rebellion, by their many recent proofs of loyalty. In the last war such subscriptions were not reprobated, but encouraged.

Earl of Effingham. Earl of Effingham said, in the war of 1756, ten regiments had been raised without the interposition of Parliament; but that there was at that time a standing act of the House called an act of credit, by which their sanction was extended in such a predicament, to all the operations of the crown. He said, that so far from the concurrence of Parliament being unnecessary on those occasions, that there was an act of Parliament, made in the reign of Charles the Second. That act was read.*

* Anno 13. Car. R. 2 } WEE your Majesties most loyal and obedient subjects, the Lords and Commons in Parliament assembled, taking into consideration your Majesties

His Lordship observed that these restrictions implied the power of imposing; and that the subscriptions, though in some measure voluntarily conferred, had their origin and authority from Parliament.

Earl

your Majesty's great and important occasions for a speedy supply of monies, which can no waies be so rededly raised as by a free and voluntary present to your Majesty from those who are able and willing to aide your Majesty in this suddaine exigency, as a testimony of their affections to your Majesty, and in ease of the poorer sort of your subjects, doe therefore beseech your Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords and commons in this present Parliament assembled, and by the authority of the same, that your Majesty may issue out such and so many severall commissions under your Majesty's Great Seal of England into the severall counties, cities, towns corporate, and all other places in England and Wales, and town of Berwick upon Tweed, directed to such persons as your Majesty shall think fit, for the receiving of such subscriptions as your Majesty's good subjects shall voluntarily offer for supply of your Majesty's pressing occasions; and likewise to issue such other commissions to such other persons as your Majesty shall think fitt for collecting and receiving the monies so subscribed, the acquittances of which respective receivers, or of any one of them, are immediately to be made, and given without any fee, upon payment made, and shall be an absolute discharge for the sume so subscribed; and in case such subscriptions shall, upon any occasion, be returned into the Court of Exchequer, or any other place, the payment thereof shall likewise returned together with the same, provided that no process shall issue out of the exchequer against any person so subscribing but within two years next after the passing of this act. And for the better execution of the said service, the said commissioners of the counties, citties, townes corporate, and all other places aforesaid respectively, shall, and are hereby enjoined, with convenient speed, after the issuing out and receite of the said respective commissions, to meet together at the most usual and common place of meeting, within each of the said countys, cities, towns corporate, and all other places; and the said commissioners, so many of them as shall be present at the said first general meeting, or the major part of them, may, by them, by their contents and agreements, sever themselves into hundreds, rapes, warrtakes, wardes, and other places within their respective limitts, in such manner and forme as to them shall seeme expedient; and shall likewise, from tyme to tyme, give notice of the respective times and places of their meetings; to the end that any persons,

Earl of *Suffolk* said, the royal prerogative varied with the times. Being the executive part of the legislature, the royal authority was, in many instances, not subject to the slow deliberation of Parliament. In the year 1745, during the late rebellion in Scotland, when the three celebrated rebels, *Kilmarnock*, *Cromartie* and *Balmarino*, were tried, *Lord Hardwicke* took an opportunity on that occasion to obviate a public clamour which had originated from the same kind of subscriptions that now prevail; and his opinion, as solemnly pronounced, his Lordship had now transcribed, and begged leave to read to the House. The contents of the paper were, to signify, that though several persons had objected to the custom of supplying his Majesty's levies by voluntary contributions, yet he would take upon him to affirm, that the practice was perfectly legal and warrantable, and that such notions were no less seditious than untrue. Being convinced from these circumstances, in the first place, that there could not be a nobler display of British spirit than this unsolicited mode of assistance; and, in the second place, from the great authority he had quoted, that it was entirely legal, he opposed the present motion as it then stood, and proposed an amendment, that immediately after the words, "resolved, that it is the opinion of this House," should follow, "that voluntary subscriptions of money, may be applied towards compleating the troops which his Majesty has ordered at this time to be levied for the public service, are contributions for legal purposes, made in a warrantable manner, and highly meritorious."

bodies politick or corporate, may, if they please, resort to them and make such offers or present to your Majesty as their own hearts shall prompt them to.

Provided alwaies, that no person, not being a Peere of the realme, shall, in such offer or present to your Majesty, exceed the sume of 200*l*. nor any Peere of this realme the sume of 400*l*. provided also, that no commissions, to be issued out by virtue of this act, shall be of force, or continue, as to the receiving of monies, or subscriptions for monies, after the feast of St. John the Baptist, which shall be in the year of our Lord One Thousand Seven Hundred and Sixty and Two; and bee it hereby declared, that no commissions or aides of this nature can be issued out, or levied by authority of Parliament; that this act, and the supply here granted, shall not be drawne into example for the tyme to come.

The Duke of *Richmond* said he was exceedingly surprised at this turn which was given the main question, called an amendment. He said the noble Lord who moved the original question had dealt fairly and candidly by the House, in explaining long before they met, the substance of what he had to propose; that the question was now totally altered, and consequently many noble Lords unprepared to speak to it, and hoped therefore the noble Lord would withdraw his amendment.

Lord *Camden* contended on the same ground. The first noble Lord observing, that as long as ever he had been in Parliament, he had never known an instance of the whole question being carried off in that manner. Was it, says he, contracted or extended; did the amendment go to soften, or explain any part of the original motion, it would be quite fair and parliamentary: but to take it all away but a few formal words in the beginning, was such a step as he hoped, for the honour of Parliament, would never be adopted in that House.

Earl of *Mansfield* rose, and after expressing his sorrow that the arguments of the several Lords who had spoken, had been founded in the spirit of altercation, declared, that the pain which he had felt on finding a debate conducted with ill-humour, induced him even at that moment, to rise and endeavour to conciliate the minds of their Lordships, and bring them back to a proper consideration of the subject on which both the original question and the proposed amendment were founded. The fairest and best mode of effecting this, the Earl said, would be to adopt the most frank and candid line of conduct, and to revert to the original matter before the House. The noble Lord who opened the business of the day, had read two propositions and moved one. Precedents there were doubtless, on the journals, and those in great number, which sanctified the entirely overturning a motion, by moving an amendment, the form and purport of which were directly opposite to the intent and aim of those words whose place in the motion the amendment was intended to supply; but however such Parliamentary craft might be supported by custom and usage, when a question was seriously proposed with an intention to investigate a point worthy the attention of their Lordships, he could not but be of opinion, that it was more noble, wise and candid, to canvas the merits of the question fully, and get rid of it by a negative upon a division, than thus to prevent its being entered upon by moving

an amendment, and rendering that the subject of debate. Having said this, his Lordship declared, he wished the noble Lord who moved the amendment would adopt his sentiments and withdraw the amendment, which, if he thought proper he might afterwards renew in the form of a motion; and urged their Lordships to debate it, when the noble Earl's propositions were disposed of, either by being carried affirmatively, or lost on a division.

The Earl said, as he was upon his legs he would speak a word or two relative to the propositions made by the noble Earl, and which he meant to have given his sentiments upon had they stood the only subjects of debate. They were in their nature and form two-fold. The first stated a fact; the second grounded a resolution upon that fact. He had several objections to each, and some that went to both. With regard to the first, it was not regular in point of form: it stated a supposed fact, viz. that money was raised illegally and unconstitutionally. Where was the proof? How was the allegation made out? Upon what had the noble Earl rested it? In the opening of his speech he had produced what? A public newspaper, from which he had read an advertisement, intimating, that a meeting of merchants and others had been held at the London Tavern, when a subscription was entered into for the purpose of raising money to strengthen the hands of government. The words of the motion had no reference to the newspaper, or if they had, was that ground for their Lordships to proceed upon? Was newspaper authority, and that vaguely introduced, proof sufficient to establish a fact to the satisfaction of that House? Did the newspaper (taking it for granted that it was competent evidence to satisfy their Lordships that a meeting was held for the purpose of raising money to present to the King) shew that the money was raised illegally and unconstitutionally? Their Lordships would act most unbecomingly to form resolutions upon matters of rumour; they could not proceed to decide *sine teste* or *sine judice*; they must always have facts, matters proved to the satisfaction of the whole House to be facts, as the ground of their proceedings. With regard to the motion of the noble Earl, it was a mere allegation without a proof, thence liable to challenge, liable to contradiction: for one he discredited it; he could not believe that money was raised by the meeting of the London Tavern either illegally or unconstitutionally; that it was raised for the service of the King, he very much believed, and who should gainsay it? Every man might give

the King money, as was well known; it was equally well known, that every man might either give or leave the King money; it had been often done, and no person ever dreamt of its being illegal.

With regard to the second proposition, the very terms of it were inapplicable; supposing the fact to be, that money was raised as the first proposition stated, could such subscriptions be deemed benevolences? The donations so nominated in antient times, though called free gifts, were notoriously the contrary; men were, when a commission for public benevolences to the Crown was issued, compelled to contribute, and if they refused, or withheld their proportion, they lost their liberty, and were sent to prison. At the same time let the noble Lords consider for what was the present subscription made—to assist the King with levy money; a matter often practised, and always essentially serviceable to the state. The King, by his prerogative, was empowered to levy men and raise an army. When men were raised, the new levies were reported to Parliament, whose duty it was to provide for their subsistence, in case they did not think the levies improper, and pass a censure upon them by giving their negative. The nation could not be injured in the present case, the professed purpose of the public subscriptions was to furnish additional levy money to make the bounties larger than government generally gave, and by that means to quicken and render more easy the filling of the old corps, and completing the army. Supposing even that more men were raised than were enough to complete the number, what would be the consequence? The King must apply to Parliament for more subsistence money. It was in the power of either House to negative the new levies, and what then? Why not, as many of the new levies as Parliament negatived, must be disbanded; the money subscribed by individuals would be lost, and what mischief would be done the nation, or what injury would the liberty of the subject, or the privilege of parliament sustain? In answer to the argument urged, that Parliament ought to be consulted as to the raising of men, previous to new levies of any kind, long experience had shewed the impolicy of such a custom, and therefore it was never practised. The King in raising an army, as in making a subsidiary treaty, never applied to Parliament till after each was effected; and it had for ages been deemed a sufficient security to the constitution, that Parliament had a power

power to disband the one, or set aside the other, by passing its negative upon either.

The Earl further said, that the question contained in the second proposition was by no means new to him; he had heard it agitated before, particularly in the year of the rebellion, when twelve noblemen raised regiments, when voluntary subscriptions were frequent in all parts of the kingdom, and when the public spirit was so far roused, that in some parishes persons went from house to house, collecting and receiving contributions for the service of government. This latter matter, the Earl declared, was thought highly improper by many, and for this reason—it in some sort approached the nature of the benevolences formerly obtained for although it did not compel contributions from individuals under pain of imprisonment, it was so far compulsory, that those who refused were marked persons, and held out to their neighbours as such. But even under this idea, it never was deemed a violation of the privilege of Parliament, or unconstitutional; on the contrary, a very great magistrate, a very sound constitutional lawyer, and a most upright man, the Lord Chancellor Hardwicke, who, as the House would, by Lordship said, he doubted not, readily believe, was not afraid to give his opinion without due consideration, had taken occasion, previous to the condemnation of the three Lords who suffered for their assisting in the rebellion, to deliver his sentiments upon the legality of raising men by voluntary subscriptions of levy-money in the most clear and emphatic terms, in the language of truth and conviction, in the very words which had in the course of the debate been read to the House by the noble Earl who moved the amendment: it was practice merely to be traced to that æra; a more recent instance had occurred in the year 1759, when the common council of the city of London met in form, and voted levy-money. The subscription, indeed, was not very great, amounting only to about 7000*l.* it was followed, however, by other subscriptions of the great companies, merchants &c. and sufficiently shewed the spirit of the people; and what then ensued? Was it reprobated as unconstitutional? Were the subscriptions deemed dangerous and illegal? No. Mr. Secretary Pitt wrote a very florid letter back to the city, thanking them for their zeal, and applauding them for their loyalty and public spirit. The letter was easily to be seen, and it would be found on reverting to it, to contain the

etary of state's approbation of the measure conveyed in the strongest terms that language would allow.

After a great variety of arguments, most of them supported by precedents, in proof that assisting the King with levy-money in moments of public exigency, was neither unconstitutional nor illegal, nor an infringement of the rights and privileges of Parliament, the Earl concluded with declaring, that he highly approved of the public subscriptions for that purpose; that he thought the individuals who subscribed, had done a very meritorious part, and deserved every encomium their Lordships could bestow upon their conduct; for which reason he should give his negative to the propositions read, and the motion made by the noble Earl.

Lord *Camden* spoke in reply to Lord Mansfield, and began with observing, that had the noble Earl early in the debate given his sentiments on the irregularity of quashing the noble Earl's motion, by moving an amendment totally foreign to the purport of it, he should have been exceedingly happy, if it might have assisted their Lordships materially, by bringing on a debate on the question really before the House, and which was of too important a nature to be taken up hastily, by the bye, as the noble Earl had done. His Lordship declared his aversion to speaking to any motion which was not fairly and fully before the House; he could not, however, he declared, consistently with his feelings, forbear saying a few words in answer to the sentiments and positions of the noble Earl, who had, as it were, thrown out his opinion casually, although that opinion, unresisted and unreplyed to, gave their Lordships a colourable pretext for passing a negative on the motion of the noble Earl who had made the two propositions.

With regard to the matter of fact on which the first proposition was grounded, he appealed to their Lordships, if any one of them felt the least doubt of there having been a meeting held as the advertisement in the newspaper specified, of a subscription having been agreed on and made at that meeting, and of that subscription being intended for the purpose of raising men without the sanction of Parliament. The points were too evident either to be argued away, or painted in any colours which would so disguise the truth, as to prevent its being obvious to every one of their Lordships. The great matter therefore for the consideration of the House was, whether the money so raised and applied, was a legal and constitutional act, and whether it was not a violent infringement

of the rights and privileges of Parliament? The noble Lord who spoke last had contended, that the money was raised merely to be given in aid of the levy money; a matter which in his humble conception, so far from being provable, could not in any shape be maintained. On the contrary, the professed purpose of the meeting of the London Tavern was to subscribe money to raise men, a position daringly illegal and truly alarming. It was true, since the intended motion of the noble Earl had been made public, the committee who managed the London Tavern subscription had already altered their tone, and had advertised, that upon due consideration they meant to apply the subscription merely to the purpose of increasing the bounty money; but this was an act of their own, not sanctified by, and expressly contrary to the desire of their constituents when they became subscribers. The present was a question of the most serious importance that could be agitated before their Lordships. Every gift to His Majesty for public purposes, was an aid, and had long since been wisely marked out, as a breach of the privileges of Parliament. Nor was the doctrine, that no mischief could arise supposing that more levies were made than Parliament would approve, by any means a justification for raising them without the consent of Parliament, even were the assertion true in fact, and let the noble Lords ask their own feelings if it were so. When a numerous army was raised, might they not defy Parliament? Might not armed levies resist the resolutions of the senate? Might they not turn public plunderers and assume the legislative power? And who would be able to prevent them? Would either, or both Houses of Parliament, or even the three branches of the legislature combined find it in their capacity to stop the mischief?

These were not the sentiments of a lunatic mind, they were sentiments warranted by sound reason and common sense. History afforded instances of the danger of a large body of forces being raised by individuals; hence the jealousy of our forefathers against standing armies, hence the jealousy of Parliament, and hence the wary eye with which Parliament had always guarded the attempt of individuals to raise men. In times of great public danger, in times of common exigency, what at other periods might be not only imprudent, but at all times illegal, might be warrantable. The tyrant's plea, state necessity, had sanctioned many measures not strictly justifiable with regard to their reference to the constitution. On this ground the raising regiments and

her acts in the service of government in the time of the last rebellion, as mentioned by the noble Lord, were to be excused; rebellion then stalked with giant steps towards the metropolis, it penetrated the heart of the kingdom, it was approaching the door of the King's palace, and it was certainly right, in such a moment, to provide for the public safety, by the best means the nature of the case would admit; but in his opinion the case was widely different now, nay, so jealous was he of injuring the constitution, by adding to the influence of the Crown, already most dangerously great and extensive, that his Lordship declared that he did not think war in a distant part of the dominions a justification of the King's encreasing his army, without the consent of his Parliament. With regard to the present subscriptions, he said, he had not a doubt of their falling directly within the meaning of the noble Earl's motion, each committee for raising money to be used "as the King should in his wisdom think fit" that at the London Tavern, and that at Bristol, had assumed a legislative power, and had acted in that capacity in which the Parliament only were empowered to act, agreeable to the spirit of the constitution, and the meaning of the bill of rights.

His Lordship declared that he suspected the meaning of the subscriptions, and the use of the regiments raised, the other because the contributors to the first were chiefly contractors, men who gave a penny to the public purse with the view of robbing it of a pound; and the latter were raised in Liverpool, Manchester, Edinburgh, and Glasgow, in each of which places it was notorious many of those principally concerned in the last rebellion resided; he said he could not therefore but be jealous of the sincerity of such loyalists, and rather think they had abandoned the man in whose cause they formerly were so active, than either the cause itself or the measures most adviseable to further it.

His Lordship concluded his speech with observing, that however he might admire professions of loyalty and attachment to the person of the King, he never could approve of such professions when they were accompanied with sentiments of passive obedience and non-resistance.

Soon after this Lord Suffolk withdrew his amendment and the House divided on the original motion. Contents 30, non-contents 90.

February 5.

No debate.

February 6.

The House in committee on the state of the nation. Lord Scarfsdale in the chair.

Duke of
Richmond.

The Duke of *Richmond*, desired Mr. Alderman Wooldrige might be called to the bar. As it would be a tedious attempt to trace the examination, by question and answer, we shall give the substance of the information as delivered by the several witnesses examined.

Mr. Wool-
drige.

Mr. *Wooldrige*, stated the number of ships lost by capture or destroyed by American privateers, since the commencement of the war, to be 733, of which, after deducting for those retaken and restored, there remained 559; the value of which including the ships, their cargoes, &c. amounted, upon a very moderate calculation, to 1,800,633*l.* 18*s.*

Of these ships, 247 were ships trading to the West-Indies and the island of Jamaica.

In proof of the correctness of this state of the number and amount of the value of the ships lost, he produced a manuscript account, which he declared he had made out, with the assistance of Mr. Hake, secretary to the society of merchants and others, subscribers to Lloyd's coffee-house, where a book containing a faithful register of all the ships that sailed outward, or were entered inward, from and at all the ports in Great Britain and Ireland, with the names of the owners and captains, the account of their last voyage, tonnage, state of repair, and quality, was kept, with the most minute correctness and from which book his account was taken.

The Alderman further stated, that the average value of a ship and cargo, trading to Jamaica, was 8000*l.* on her outward ward, 10,000*l.* on her homeward voyage.

That the average value of a ship and cargo, trading to the other West India islands, was 6060*l.* outward, and 8000*l.* homeward.

That insurance before the war was two *per cent.* to America, and 2½ *per cent.* to North Carolina, Jamaica, &c.

That insurance to America, Africa, and the West Indies was now more than double, even with the convoy, and without convoy, unless the ship was a ship of force, 15 *per cent.*

That seamen's wages were now raised from twenty five and twenty eight, to fifty five, and in some instances up as high as three pounds five shillings, *per month.*

That the increased value of sugars, &c. paid the merchants sufficiently for the increased point of insurance, but

the weight fell on the consumer of the commodities exported and imported.

That the various articles formerly imported from America were now considerably advanced in price. Tobacco from 7d. halfpenny a pound to 2s. 4d. Pitch from 8s. a barrel to 35s. Turpentine, oil and pig iron had risen in the same proportion. Indigo, and some other articles, had increased in price, but not quite so much as the articles above-mentioned.

That there had been upon the seas during the war 1773 sail of American privateers; the first of which (that the merchants heard of) was the Yankee privateer, taken and brought into the port of London in the month of May 1776.

That about 34 of the 173 had been taken and destroyed by our men of war, cruizers, armed ships, &c.

That in the said number [173] of American privateers, there were at least 13000 and odd seamen, and 2000 and odd carriage guns, exclusive of swivels and cohorns.

In proof of the correctness of these accounts of the number of American privateers, seamen and guns, the Alderman declared, that he made out his list from the letters received by the owners of English ships (which had been taken) from the captains of such ships, who always stated in their letters where they were, where they were taken, the names of the captors, the size and tonnage of their ships, the number of their guns, and the number of their men, and also from the Admiralty office account of captures by the King's ships, published in the London Gazette. That he had averaged the men at 80 in each ship, which was a calculation of a very moderate nature, since he believed the number of seamen in the 173 American privateers were nearer 20,000, than 13,000.

The Alderman gave his opinion that the manufactories of this kingdom, especially that of iron, were not increased in point of export since the war began; that the American war had been the cause of many bankruptcies; that when the prohibitory act passed, there might be about two millions due to the merchants of Great Britain from America; that in the six months allowed by the act for the continuance of an intercourse between the two countries, the Americans had transmitted about five hundred thousand pounds worth of goods, in part of payment of their debts to their creditors at home; that those five hundred thousand pounds worth of goods, were they now on hand, would be worth two millions, from the increased price of the various articles; that at present, there was due from America to the merchants of Great Britain, at least

least one million five hundred thousand pounds; that upon an average, the debt was not worth five shillings in the pound; that it was more or less valuable, according to the provinces in which the debtors resided; that in North and South Carolina, and such parts as had not been the seat of war, where the persons of the inhabitants and their property had not been destroyed by fire and sword, the merchants thought their money tolerably safe, should an intercourse be again brought about between Great Britain and America; but that in the province of New-York and Pensylvania, the debts due to English merchants were of little worth; that there was a debt of 72,000*l.* due in particular to the house in which he had lately been a partner; that, to speak for one, he would gladly sell it for ten shillings in the pound.

He further stated, that the trade to America and the West India islands, previous to the commencement of the war, might amount to about eleven millions annually. After answering of other questions of a less important nature, the evidence was desired to withdraw.

Beeston Long, esq.

Beeston Long, esq. was next called. The only material answers given by Mr. Long to the few questions put to him, made a confirmation of what Mr. Alderman Wooldridge had stated, relative to the careful manner in which the register of ships was kept at Lloyd's coffee-house, and the general idea of its authenticity which prevailed with the merchants, insurers, underwriters, &c.

Mr. Abraham Hake,

Mr. Abraham Hake was next called. This gentleman also corroborated the testimony of Mr. Alderman Wooldridge, declaring that he was secretary to the society of merchants at Lloyd's, and that he kept the register-books. Mr. Hake also gave proof of the pains that were taken to preserve it from error, and render its authenticity indisputable.

William Creighton, esq.

William Creighton, esq. was examined after Mr. Hake. This gentleman not only corroborated the Alderman in the most material points opened by him, but added many new facts which had fallen within his own knowledge. He stated the losses suffered by the merchants, in consequence of the captures made by the American privateers, to have amounted to at least two millions in October last, and that by this time they could not be less than two millions two hundred thousand pounds.

That the first losses of the merchants were occasioned by the prohibition of their sending out a single pound of powder in their ships, which was strictly enforced previous to the mer-

merchants being stimulated to petition the privy council, and obtain licenses to arm their ships.

That letters of marque were hardly worth taking out, as they were of little service, unless those who had them fell in with an American tobacco ship, and that was as much a matter of chance as the obtainment of a ten or twenty thousand pound prize in the lottery.

That the windward islands had been most exposed to the depredations of the Americans, from having an insufficient number of ships to guard and protect them.

That the island of Tobago, in particular, had for a long time no man of war near it, and that in consequence the Americans had landed and ravaged the plantations, carrying fifty negroes at a time off one estate. That at length he, with other merchants, had applied in form to the Lords of the Admiralty, and desired that two ships might be sent there; that the greatest attention had been paid them at the Admiralty-office, and the prayer of their petition had been instantly complied with.

That he foresaw that Tobago would share the fate it did, long before it happened, from viewing its situation in the charts, and knowing that the ships on the West-India station were inadequate to the protection of so many islands.

That the prohibition of the merchants having gunpowder on board their ships, merely to prevent powder and ball being conveyed to the rebels, was ill founded, because that as long as America found money, there could be no doubt of her obtaining ammunition, &c.

Gregory Olive, esq. was next examined. This gentleman's testimony went chiefly to prove the damage done the Newfoundland traders; fifty of whose ships he declared had been taken, of about the average value of 2000l. each, beside a great many small vessels, of about two or three hundred pounds value upon the banks.

Upon his cross examination, this gentleman declared that the trade was much improved of late, and that in consequence of the Americans being deprived of the means of pursuing it, we sent more fish to Bilboa and the foreign markets than ever, and that if men and ships could be procured, it would turn out a very beneficial branch of commerce; but that the fishermen's price was encreased from eight to fourteen pounds a voyage, and the seamen's wages from thirty-five to seventy shillings a month.

The

John Shoolbred, Esq.

The next witness examined was *John Shoolbred Esq.* of Mark-Lane, who declared himself an African merchant and an under-writer,

This gentleman confirmed the accounts of the book of Lloyd's, and stated that the African trade had been materially injured in consequence of the American war.

That upwards of 200 sail were generally engaged in the trade, previous to the war.

That not a fourth of that number, not above forty ships were now sent out.

That fifteen of the ships and cargoes had been taken by the Americans.

That the average value of the cargo of a ship to Africa outwards, was about 7000*l.* and her homeward freight of slaves worth about 9000*l.*

That each slave was worth at least thirty five pounds.

That the value of the ships lost was 140,000*l.* upon very moderate calculation.

That the first ship was taken in March 1777; the Americans not having before that time any market to carry the cargo of African ships to; and that all the ships were taken near, and most of them in sight of Barbadoes, after having got over every natural risque of the voyage,

Upon his cross examination, Mr. Shoolbred allowed, that those who carried on the African slave trade formerly, had lately sent ships to fish on the coast of Africa; that the whale trade there promised to turn out exceedingly advantageous, and that this trade was formerly enjoyed by the Americans.

Edward Payne, Esq.

Edward Payne, Esq. of Cornhill, was the last witness examined; this gentleman proved little new; chiefly corroborating what the other witnesses had said.

The Lords who principally concerned themselves in the examination of these witnesses were the Dukes of Richmond, Bolton and Manchester; the Marquis of Rockingham, Lord Effingham and Lord Camden. The Lord President, Lord Sandwich, Lord Dunmore, Lord Sondes, Lord Lyttelton and Lord Derby.

Adjourned to February 9.

February 9.

The House in committee, Lord Scarfdale in the chair, the order of the day, "for taking into further consideration the state of the nation."

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D E B A T E S.

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Earl of *Sandwich* said, that the noble Duke who moved Earl of Sandwich.
 this enquiry [Duke of Richmond] had brought a number
 of persons, to prove certain facts relative to the commerce
 of this country; that in order to prevent an *ex parte* evidence
 from going abroad into the world, without having the other
 side enquired into, such as what losses the rebellious colonies
 had sustained, to balance our loss, he would beg their Lord-
 ships' permission to call Mr. George Gostling to their bar.

The Duke of *Richmond* objected to this motion as infor- Duke of Richmond.
 mal; he said he would by no means endeavour to preclude
 his Lordship bringing what evidences he pleased relative to
 this enquiry, provided he produced them in a proper time;
 that his evidences lay open to his Lordship's cross examina-
 tion, and he had it in his power to controvert or dispute any
 thing adduced; but now to take up another matter, before
 the former was disposed of, was, in his opinion, unparliamen-
 tary, and not dealing with that candour and openness which
 he expected from the noble Lord. That, in respect to him-
 self, he appealed to their Lordships, whether he did not,
 in every stage of this enquiry, previously acquaint their
 Lordships of the substance of his intended motions, wishing
 and hoping that every noble Lord would be influenced by
 the same motives which actuated himself, viz. an earnest
 desire to come at every degree of information, which may
 help to relieve and alleviate the present very great distresses
 of this country.

Earl of *Sandwich* still maintained his ground, and if the Earl of Sandwich.
 noble Duke insisted otherwise, he trusted in the opinion
 which the majority of the House should declare upon it.

The Duke of *Richmond* acknowledged he could not rely Duke of Richmond.
 upon majorities as strongly as the noble Lord; but still he
 trusted that the fairness and propriety of the measure he
 wanted to adopt, would convince their Lordships that what
 he contended for was right, which was no more than to
 finish one part of the enquiry, before they mixed and con-
 fused it, by going into another. The debate on this be-
 came general, the Lord Chancellor, Lords Sandwich, Gower,
 Lyttelton and Bristol, contending, on one side, for the pro-
 priety of Lord Sandwich's motion; the Dukes of Richmond,
 Grafton and Lord Camden, opposing it; at length it came
 to a division, when the contents were 66, and the non con-
 tents 25.

Mr. *George Gostling* was ordered to the bar, who, upon Mr. George Gostling.
 several questions put to him by Lord Sandwich, and other
 Lords, answered substantially as follows:

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That

That he was a proctor in the court of Admiralty. [Here Lord Sandwich delivered him in a list of prizes taken from the Americans, to the number of thirty-eight, and asked him whether he could swear to the condemnation of these ships? Mr. Gostling answered, he could, except two out of the list, which were then under condemnation. Aye, says my Lord, that is the same thing.] Mr. Gostling then said there were eleven more to be added to this list which were considered as *droits* of admiralty, [that is, vessels taken by non-commissioned ships.] Being cross examined by the Duke of Richmond, whether ships under condemnation were the same as ships absolutely condemned? He answered not, however probable it was they would be so. In respect to the value and appropriation of the cargoes, he answered, he could not exactly state the former, but the general appropriation of them were two thirds to the captors, upon lawful prizes, and one third when they were *droits* of admiralty. Being asked how the residue of the money was applied, and whether it was not given to discharge arrears of several of the officers of the admiralty? He replied he had heard so. And being further asked by what law, or precedent the judges disposed of that money, and whether he as a practitioner, could recollect any precedent for it being disposed of thus optionally? He said, he could not; but that he believed there were some precedents for it in queen Ann's wars.

Mr. Samuel
Enderby

Mr. Samuel Enderby was next called upon, who deposed to the several questions put to him substantially as follows that since the prohibitory-act, a new trade had been carried on in the Southern fisheries of America, in which he was a considerable adventurer; that there were fifteen ships then on the trade, and that their average tonnage was 170 tons each, and that the spermaceti whale was much more considerable in value than the common whale formerly taken.

[Here Lord Sandwich made a calculation, that supposing these ships brought but one hundred tons each, the calculation would be 105,000l.]

Mr. Enderby, being examined by the Duke of Richmond and Lord Camden, said, that the general freight back run from forty to fifty tons only, that he could not tell what may be their success this year, as the ships were not expected until about June; but he hoped it would be still increasing. He likewise spoke of two other fisheries, one on the coast of Africa, and the other on the banks of Newfoundland, which promised to turn out very considerable

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That the ships that went on these voyages were manned generally with British sailors (except four Americans to each ship, who instructed the rest in harpooning) and that the profits of the outset of those ships, &c. centered with Great Britain, which formerly, as well as the profits of the fishery, were engrossed by New England men.

Being asked, supposing this war at an end, whether the Americans, who he allowed to be more expert in this business than our people, would not be able to conduct this fishery to greater advantage, and undersell us at foreign markets? He believed they might. Being likewise asked what the price of insurance was upon this new trade? He answered fifteen per cent. And being further asked, whether the very increased price of spermaceti whale, though it may be profitable to individuals, did not hurt the general trade, so as to fall heavy on the consumers? He very candidly replied, he could not speak precisely to the former part of that question: all he had to say upon it was, that his endeavours were to get as much by it as he could.

He was ordered to withdraw.

Mr. *George Davis* was next examined, who said he was *Mr. George Davis.* six and twenty years concerned in the whale and cod fishery. In respect to the former, he said, he tried to take whales with men from England, but though they could strike them, and had struck several of late, he had not as yet taken one; but, he was in hopes of succeeding better in a little time. In respect to the cod fishery, he said, it was not decreased, but they wanted men for that service, and he had no doubt, if the Lords of the admiralty would discontinue pressing, there might be enough found for that service. Ordered to withdraw.

Earl of Sandwich calling no more evidences, the Duke of Richmond begged permission to call in Mr. Creighton again to the bar, to explain the causes of the high price of sugars.

Mr. *Creighton* said, that as the West-India merchants may *Mr. Creighton.* be affected by the reports of the high price of sugars stated to their Lordships, on the sixth, he would, inform them of the causes of it; here he adduced several reasons, such as the failure of crops, the capture of vessels laden with sugars, the late difference between Spain and Portugal, &c. &c. and that a number of adventitious causes conspired to this increase, which, whether they might continue it or not, was more than he could at present determine.

Adjourned to the 11th,

February

February 11.

Earl of
Effingham.

Earl of *Effingham* moved, "that a copy of a paper, No. 19, referred to in Sir Guy Carleton's letter on their Lordships' table, relative to General Burgoyne's expedition; likewise copies of the lettets which passed between Sir Guy Carleton and Generals Burgoyne and Philips, respecting the arrangement of that expedition, to be laid before the House."

Earl of
Suffolk.

Earl of *Suffolk* said, that all the papers thought necessary to give any information on that subject were already before their Lordships, and that as those letters may contain something of a private nature, they ought not to be brought forward.

Earl of
Effingham.

Earl of *Effingham* appealed to the general motion made by the Duke of Richmond, "for all the papers relative to that expedition," which had been ordered, and therefore their Lordships must look upon this as a part of that general order, and consequently could not dispense with any part of it. He likewise said, he had the honour to stand next in relationship of any one now in England to Sir Guy Carleton, and as a guardian of his honour, he must urge the requisition of those papers.

The debate on this grew general, Lords Suffolk, Gower, Lyttelton, Derby and Weymouth, on one side, contending for the impropriety of producing these papers, at least for the present; the Dukes of Richmond and Grafton, Lords Camden and Effingham, insisting upon their being a part of the general order, "relative to all papers concerning the Canada expedition," and on that account highly necessary. At last, from a hint of Lord Gower, that he thought such extracts from those letters as may be thought relative to the business, should be laid before the House, Lord Effingham, for the present, withdrew his motion.

The House resolved itself into a committee, on the state of the nation.

Duke of
Richmond.

The Duke of *Richmond* rose, and after a short speech wherein he recapitulated the evidences which had been given acquainted their Lordships that he had a few motions to make, in consequence of that evidence, which were plain matters of fact, and which would be grounds for their Lordships' farther deliberation. His motions were,

"Resolved, that it appears to this House, that in the course of trade, a very considerable balance was always due from the merchants in North America, to the merchants of Great Britain, towards the discharge of which remittances were made in goods to a great amount, since the commence-

ment of the present troubles, and whilst the trade between this kingdom and the colonies were suffered to remain open.

"That it appears to this House, that since the passing the several acts for prohibiting the fisheries of the colonies in North America, their mutual intercourse with each other, and all trade and commerce between them and this kingdom, and for making prize of their ships, and distributing the value of the same, as if they were the effects of our enemies, amongst the seamen of his Majesty's navy, the number of vessels belonging to Great Britain and Ireland, taken by ships of war and privateers, belonging to the said colonies, amount 733.

"That of the said 733 vessels, it appears that forty-seven have been released, and 127 retaken; but that the loss on the latter, for salvage, interest on the value of the cargo, and loss of a market, must have been very considerable.

"That the loss of the remaining five hundred and fifty-nine vessels, which have been carried into port, appears from the examination of merchants, to amount to at least 2,600,000*l.*

"That it appears to this House, that of two hundred ships annually employed in the African trade, before the commencement of the present civil war, whose value, upon an average, was about 9000*l.* each, there are not now forty of the said ships employed in the said trade, whereby there is a diminution in this branch of commerce of 160 ships, which at 9000*l.* each, amount to a loss of 1,440,000*l.* *per annum.*

"That the price of insurance to the West Indies and North America, is increased from two, and two and an half, to five *per cent.* with convoy, but without convoy, and unarmed, the said insurance has been made at fifteen *per cent.* but generally ships in such circumstances cannot be insured at all.

"That the price of seamen's wages is raised from one pound ten shillings, to three pounds five shillings *per month.*

"That the price of pot-ash is increased from eight shillings to three pounds ten shillings *per hundred weight.*

"That the price of spermaceti oil has increased from thirty-five pounds to seventy pounds *per ton.*

"That the price of tar is raised from seven and eight shillings, to one pound ten shillings *per barrel.*

"That the price of sugars, and all commodities from the West Indies, and divers sorts of naval stores from North America, is greatly enhanced.

"That it appears to this House, that the present diminution of the African trade, the interruption of the North American

American trade to the West Indies, and the captures made of the West India ships, have greatly distressed the British colonies in the West Indies.

“ That it appears to this House, that the numbers of American privateers, of which authentic accounts have been received, amount to 173 ; and that they carried 2556 guns, and at least 13,840 seamen, reckoning eighty men in each ship.

“ That of the above privateers, thirty-four have been taken, which carried 3217 men, which is more than ninety-four men to each vessel.”

Earl of
Sandwich.

The Earl of *Sandwich* said, he all along, from the moment this enquiry into the state of the nation began, dreaded it ; not on his own account, but on account of the general hurt it may produce, that of laying open difficulties and embarrassments (which he confessed this country was under) and which should not be laid open. If the noble Duke who began this enquiry had calculated the losses of the country by capture of vessels, &c. before that should be admitted, there should be deducted the value of all the prizes taken by the English from the Americans, which, setting the number of prizes at 904, and each prize worth 2000l. amounted to 1,808,000l. His Lordship said, great advantages were gained by the new fisheries, and concluded, that tho' nobody wished an end to the war more than he did, yet the continuance of it was, in many respects, advantageous to this country, and would be more so.

Duke of
Richmond.

The Duke of *Richmond* said, he was surprised to hear his Lordship's detail urged as an argument for not deciding on this motion, as it did not mix with any other matter, but resulted from facts proved at their Lordships' bar. He was, however, more surprised at the conclusion drawn from that detail, “ that because a number of vessels had been taken, they were to be balanced by another number of vessels taken on the other side, and consequently no loss to the nation upon the whole.” I do not mean, says his Grace, to be particularly pointed to individuals ; and I hope the noble Lord will permit me to separate at present the man from the office. I therefore say, speaking to be so understood, I do not wonder at all the distresses which have overwhelmed this country, when a noble Lord at the head of the marine department of this nation, betrays such ignorance. What, my Lords, when the merchants of this country, have lost 733 ships, valued at above two millions of money ; to say that

the commerce of this country is not affected by such a loss, because an equal number of ships have been taken from the Enemy, and the prizes distributed to British seamen! This is so far from being a balance in our favour, it adds to our loss, for if we were not in war with America, the value of all these cargoes in the circuitous course of trade, must center with Great Britain.

His Grace then adverted to his question, which was no more than for the committee to allow, as a resolution, part of what had been already evidenced at the bar, and which would enable their Lordships the better to see the grounds they stood on in respect to America, and consequently know what line to take.

The Earl of *Suffolk* opposed the motion on the impropriety of acknowledging what ought not to be acknowledged at so critical a period, the weakness of the nation; he said, the best way of going on in this business would be, to let all the papers lie on their Lordships' table for general information, and do the best they could either to remedy defects, or otherwise, but by no means to resolve upon the national imbecility. Earl of
Suffolk.

The Duke of *Grafton* called upon their Lordships to consider the question they were to decide upon, which was a fact already established, and which their Lordships could not refuse their assent to; he said, he did not know, nor was it material to know, what the noble Duke afterwards meant to go into; so much was clear ground, and would be a very proper one for their Lordships to form some resolutions upon respecting the present war with America. Duke of
Grafton.

A debate ensued about the mode of disposing of the question. Some were for putting it affirmatively or negatively, others a previous question; but as the latter could not be adopted in the committee, a motion was made for Lord Scarisdale quitting the chair, and the House divided:

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The committee being dissolved, the Lord Chancellor resumed the woolpack, when the previous question, "That this motion be now put," being put separately, on the Duke's resolutions, they all passed in the negative, without division.

Adjourned to the 13th.

February 13.

No debate. Adjourned to the 16th.

February

February 16.

Earl of
Effingham.

The Earl of *Effingham* again moved, that the letter of General Carleton, marked No. 19, and the letters of Generals Burgoyne and Philips, mentioning the arrangement of the troops under their command destined for the service of the expedition from Canada, be laid before the House.

The Earl said, the motion spoke sufficiently for itself; he would, nevertheless, just tell their Lordships the reason of his moving it, which was in order to ascertain by whose orders it was that General Carleton, the commander in chief sent away so large a force upon an expedition, keeping so very few troops to guard the province, which was liable to sudden and powerful attack.

[This produced a conversation, in which the Earl of Suffolk, Lord Townshend, Earl Gower, Lord Weymouth, and the Dukes of Richmond and Grafton, took part.]

The purport of the motion was agreed to, without its being formally put, on condition of the House's accepting of extracts instead of copies of the papers required.

As soon as this business was settled, the Earl of *Thames* rose, held out a letter, which he declared he had received from General Gates, and which he thought it his duty to communicate to their Lordships.

The letter was handed to the clerk at the table, who was preparing to read it, when

Ld. Town-
shend.

Lord *Townshend* rose, and after declaring that General Gates had exalted his character exceedingly by his human conduct respecting General Burgoyne, observed, that however high he might stand in their Lordships's opinion, he surely was a very unfit person for that House to enter into correspondence with, that he was at the time of his writing the letter, at the head of a rebel army; that it would be a degradation of Parliament to make such a letter the ground of a resolution; he therefore hoped the House would not suffer it to be read.

Earl Gower.

Earl *Gower* said, that for what their Lordships knew the letter in question might be of a nature exceedingly improper for their Lordships to hear; at any rate it was contrary to parliamentary form for the clerk to read it at the table.

Duke of
Richmond.

The Duke of *Richmond* said, that the letter came from a man of great weight in America, and that it was ridiculous to refuse information, let it present itself in what shape it might.

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The Duke of *Grafton* said, that as he sat near the noble Duke of *Grafton*. Earl who introduced the letter, he perhaps heard what the noble Earl had said more distinctly than any other of their Lordships; that the noble Earl had merely begged the letter might be read by some other person, because he had a cold and hoarseness, which he feared might prevent the House from hearing him.

After a few more trifling arguments respecting the forms of the House, the Marquis of *Rockingham* took the letter, Marquis of *Rockingham*. and read it to their Lordships.

My Lord,

Albany, October 26, 1777.

“ Presuming upon our former friendship, I take the liberty of addressing this letter to your Lordship, General Burgoyne having assured me it shall be faithfully delivered. The very important event of this campaign, so far as it respects General Burgoyne and myself, will, by the unexaggerating voice of truth, be related to your Lordship. For, what less can be said of it, than that the King’s army, which left Canada in June, are all killed, taken, or have surrendered prisoners, under the convention of Saratoga? How this complete victory has been used, with respect to the behaviour of the conquerors to the vanquished, General Burgoyne and Lord Petersham, as they are soldiers, and men of honour, will declare. But to the main design of my addressing this letter to your Lordship.

“ Born and educated in England, I cannot help feeling for the misfortunes brought upon my native country by the wickedness of that administration, who began; and have continued, this most unjust, impolitic, cruel and unnatural war. The dismemberment of the empire, the loss of commerce, of power and consequence amongst the nations, with the downfall of public credit, are but the beginning of those evils, that must inevitably be followed by a thousand more, unless timely prevented by some lenient hand, some great state physician, with the firmness, integrity and abilities of a Chatham, joined to the wisdom, virtue and justice of a Camden, aided and supported by such men as your Lordship: men, as independent in their fortunes as unsullied in their honour, and who never bowed their heads to Baal. Such a man, so supported, may yet save the sinking state, by confirming that independency, which the people of this continent are resolved to part with, but when they leave this world. Such a man will do what all wise statesmen have done before him. He will be true to the welfare and

interest of his country; and, by rescinding the resolutions passed to support that system which no power on earth can establish, he will endeavour to preserve so much of the empire, in prosperity and honour, as the circumstances of the times, and the maladministration of those who ruled before him, have left to his government.

The united states of America are willing to be the friends, but never will submit to be the slaves of the parent country. They are, by consanguinity, by commerce, by language, and by the affection which naturally springs from these, more attached to England than any other country under the sun. Therefore, spurn not the blessing which yet remains. Instantly withdraw your fleets and armies; cultivate the friendship and commerce of America. Thus, and thus only, can England hope to be great and happy. Seek that in a commercial alliance; seek it ere it be too late, for there only you must expect to find it.

These, my Lord, are the undisguised sentiments of a man that rejoices not in the blood shed in this fatal contest; of a man who glories in the name of an Englishman, and wishes to see peace and friendship between Great Britain and America, fixed upon the firmest foundation.

Our friend, General Lee, has suffered a long and severe imprisonment; but the hour is at hand that forces General Howe to what he must for ever blush for not having done before. The pride, not the power, of the King's generals prevents me from being more particular as to the immediate situation of the man † you so much regarded. I beg your Lordship will present my affectionate compliments to Hall, and Sir Charles Davers.

With the greatest respect, I have

the honour to be, my Lord, your

Lordship's most obedient humble

servant,

HORATIO GATES.

*To the Right Honourable
the Earl of Thanet.*

Duke of
Richmond.

Earl of
Suffolk.

The Duke of *Richmond* moved, "that General Gates's letter should lie upon the table."

Earl of *Suffolk* said he was against the motion; the letter was from one private gentleman to another; the writer was not either an ambassador or plenipotentiary, he had no

† General Lee.

public

public commission to offer terms of peace; on the contrary, he was an officer at the head of a rebel army, and at this moment in arms against his sovereign. Did the letter say that the Congress entertained similar sentiments with the writer of it? Did it convey any thing like a basis to commence and erect a treaty on? The very terms vaguely mentioned in it were such as their Lordships had repeatedly reprobated. The letter contained an insinuation that America was determined to preserve her independency. Ought the King's servants to accede to that position? Ought they to withdraw the army and the fleet, and to throw the nation at the feet of America? Another part of the letter deserved rather the contempt than the attention of the House. It was made up of invective against the present administration. Invective, which, notwithstanding the good style of the letter, had been much more forcibly and elegantly expressed by noble Lords in that House, and which would doubtless be repeated as long as the noble Lords should continue out of place. The Earl paid Lord Rockingham great compliments on his candour, for having read, with so much distinctness and firmness of voice, that part of the letter which spoke so highly of Lord Chatham.

Marquis of *Rockingham* declared the noble Earl had imputed that to his candour, which he did not feel or think ascribable to any such motive. He said he read the letter because he was anxious to give the House information, which the King's servants, on every occasion, wilfully withheld, and that he was desirous of attending to General Gates's propositions, because he was determined to serve his country, by making peace at any rate.

Lord *Weymouth* said it was improper to order the letter to be laid upon the table.

Duke of *Richmond* said, General Gates, from his situation, was of great weight and importance in the eyes of America; that the only means of getting at the sense of a country was by hearing the sentiments of men of weight and importance in that country; that to negative the motion was to pursue the old ruinous plan of shutting the ear to information, and continuing wilfully in error; and that General Gates's letter contained information respecting America, as well worthy the attention of the ministers, as the information which they had received from Governor Bernard, Governor Hutchinson and Governor—he did not know who! He could indeed see one reason for the King's servants refusing to suffer

the letter to remain on the table, and that was, the invective against administration which it contained, and which the noble Earl had complained of. This invective was too true, and however the ministers might now treat it with contempt, a day would come when they must acknowledge its truth. The Duke disclaimed any sinister motive for his conduct, and declared, that America would never make peace with the present administration; and, in reply to the sneer that those who opposed the measures of administration wanted their places, it was easy to retort, that those in office would adopt any measure, however injurious to their country, rather than give up their employments.

The Lord
Chancellor.

The *Lord Chancellor* came forward, and asked their Lordships if it could possibly be deemed right, to accept a letter which held out such terms as were not only exceedingly improper, but grossly insulting? What, acknowledge the independency of America, and withdraw our army and our fleet! Confess the superiority of America, and wait her mercy! He desired the House to consult their own feelings for an answer.

Duke of
Manchester.

The Duke of *Manchester* contended for the motion. And said, that he wished his noble friends to acknowledge that power was one of their objects, and as he was convinced, if they had power, they would exert their abilities to save their country, he declared he most earnestly hoped they would acquire it. For his part, he disclaimed every idea of preferment; he had been all his life connected with so many of the first families in the kingdom, that had he thought it worth while to solicit court favour, he certainly might have obtained it; he trusted, however, that no man supposed him influenced by so base, so mean a motive. The Duke declared there certainly had been a season for making an honourable and happy peace with America; that season he feared was now past. His Grace mentioned the loss of the United Provinces by Spain, after forty years war, and ended his speech with expressing his hopes that our unhappy quarrel with America was not to be equally prolonged, or to end so fatally to this country.

Earl of
Bristol.

Earl of *Bristol* desired their Lordships' leave to give his reasons at large, for the conduct and part he should take in this very important business; and said, that as other Lords had been indulged with wandering from the immediate question before them, yet, said, his Lordship, I have hitherto sat silent, my Lords, and chose rather to attend to the dis-

feren

erent opinions of your Lordships, which I shall always do with that respect and deference that is due to them, than to interrupt the course of the debate : but as I find other Lords have sallied into great digressions, this and other days, I should be ashamed to sit longer silent, or give a tacit vote, and not declare my sentiments openly on this very critical, and very important situation, and especially as I hope thereby to manifest that affectionate and dutiful, though independent and disinterested attachment to his Majesty's person and government, which I hold inseparable from that zeal for the welfare of my country, that has ever been, and shall be, the invariable rule of my conduct.

My Lords, I hope your Lordships will forgive me if I go a little, and it shall not be much, into the causes, or, in some degree, into the conduct of this unhappy rebellion in our colonies ; but I think it necessary to tell your Lordships, that from the very first dawn of it, when I had then a seat in the other House, I took an early part in declaring my sentiments against the measures, which I then thought, and I still think, rather encouraged than removed the inclinations there appeared in some of the refractory leaders in that country, to dispute the rights, and, by degrees, throw off that subjection, which, from every tie in human nature, they owe to this : however, when I found that measure was adopted, (I mean the repeal of the stamp-act) and that it had produced the effects that were foretold it would do, I then, my Lords, took part with those, who, like me (from the different accounts given of the situation of the colonies, their dissensions and their contentions) thought it was only coercive measures that could bring them to a sense of their duty and their interest ; but, like others, had only the privilege of giving my opinion, whilst every step that was taken by those in, as well as those out of power, seemed to promote what we ought all to have united in order to have stifled in its infancy ; the encouragement the colonies met with, from what I must think the mistaken judgement, and consequently ill-timed language, of one set of gentlemen on this side the Atlantic, and from the more supine, timid conduct of those who have ever since been at the head of the measures of this country, brought the colonies first to those daring steps of rebellious union, and next to the no less daring, but more fatal, acts of open violence against their sovereign and their mother country.

But, my Lords, it is now long since we have been in the open field of contention for the rights and supremacy of this country

country over its colonies, and which, I hope, we shall never give up, but trust we shall yet be able to maintain; though I must beg to declare, as for myself, that after all the blood that has been already spilt, after all the millions that have been already scattered, and after all the solemn promises that have been given by our ministers, and with as great a fleet and as large an army as ever this country singly maintained when not at war with foreign powers, we are, in my opinion, in a worse situation than when we first begun; I mean, as to any appearance of making an end of this most distressful war, and I should therefore, my Lords, before I gave an ultimate opinion, much less an ultimate vote, on this very critical and important business, wish to know authentically, what assurances have been given by our commanders in chief in that country, (whose opinions alone are now to be relied on) that we shall be able, by pursuing this war, to give the people some hopes that all the millions they have given, and all the blood that others have wasted, will be attended with such success as shall give some speedy relief to those heavy burdens which I confess and do lament they now groan under.

My Lords, if we reflect but for a moment, that it is only our American colonies that we are now at open war with, and that there have been already near eighteen millions spent to carry on that service; and that our trade, which is the only source of those supplies, as you heard the other night at the bar, has suffered and is still suffering almost as much as if at war with those two great powers of France and Spain, what is to become of us, when that too may be added? Our very coasting trade has met with great interruption.—And need I remind your Lordships of the evil attending our having so many seamen on board the American privateers, as we also heard the other night at our bar; in 1772 privateers were, on a very moderate calculation, allowed to be 13,850 men. The dangers attending this evil, and which we have not to encounter in a war with France and Spain, have too many bad consequences for me to enumerate now, but which I think cannot escape your Lordships' discernment.

My Lords, it appears to me, that the methods hitherto pursued to subdue this rebellion, and to put an end to the depredations it occasions, and the sufferings of every individual in this country, as well as the few remaining friends we have in that, have been such, as have rather tended to promote than prevent our losses; to prolong rather than conclude the war; for the manner in which we have sent our recruits, our

cloathing

cloathing, our ammunition, our stores; in short, our supplies of every kind, to our forces abroad, has, in my opinion, rather conveyed a great part of them to our foes than our friends. My Lords, I am unwilling to trespass on the time, to point out to your Lordships the several valuable captures of this nature that have been made by the rebels, from what I feel myself sorry to say, is the ill conduct of those who were to superintend this very essential part of the war; because I am very certain that every Lord who hears me must recollect the repeated instances we have heard of to prove this, when a proper distribution of all these kind of necessaries to be sent to our fleet and army, had they been put into the several men of war sent to America, or had ten or a dozen of our fourth rates, that were in commission, and many more also of the line, and not so well employed, been armed *en flute*, and destined for this particularly essential service, at a time when we had no fleet out to require their attention, they would not only have secured these supplies for our own forces, deprived the enemy of what they stood so much in want of, and at that time, could not have obtained but by such misconduct; but I will venture to affirm, would have saved to the public above half the expence thrown away in that most extravagant manner of hiring transports, and the buying of ships and vessels for that purpose; which in the transport service for the navy only (exclusive of the ordnance and treasury transports) has already cost, in freight only, from Sept. 1775 to Sept. 1777,

£. 1,265,231	2	11
the victualling of these transports also is	526,878	19 10

which make the sum of

1,792,110	2	9
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besides these sums there has been paid for the purchase of ships and vessels since January, 1776

94,756	5	1
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My Lords, these may appear inconsiderable sums, where we are throwing away so many more considerable; but give me leave to look upon them as enormous, when we consider that above half might have been saved to the public in these particulars alone, by prosecuting the method I have pointed out to your Lordships: but it is not my intention at present, My Lords, to enter more minutely into a detail of the conduct of our navy in this war, after all the most enormous sums that have been granted for the navy (greater than ever was known before), because I should then be obliged to go back to many circumstances that may be necessary for me to shew your

Lordships, that I am still consistent with whatever I have before declared on these subjects, and particularly so, when at the opening of last sessions of Parliament, I had the honour of acquainting your Lordships, that I acquiesced in the assertion then made by the noble Lord at the head of the admiralty, that we could have forty ships of the line ready by the month of March last, which I allowed, could there be good men to man them : but I now must express my astonishment at there not having been half that number fit for immediate service, if so many ; and although at that time the different armaments of France and Spain, and particularly that great expedition from Cadiz, which no one knew the real destination of at that time, called loudly upon us for every exertion of our naval power.

My Lords, I shall reserve myself for whatever I may hereafter find necessary to say, on this very extensive subject of our navy. I shall now content myself in this instance with making one short and general observation to your Lordships which is, that if the fleet is in every respect such as I am told has been officially represented to your Lordships ; that it is compleatly fitted, compleatly manned, and compleatly officered, and, in short, fit for service in every sense of the word, I mean, fit to proceed immediately to sea, and attack a fleet (if necessary) of France or Spain, or both united ; not for the purpose only of cruizing after an American privateer or retaking a West-India merchant ship ; I say, if the fleet is in this superior order, why then has England hitherto made this contemptible figure, that not only our trade has been so constantly annoyed, our islands left in such distress, and exposed to the ravages of the American privateers, but our own coasts have been so insulted all last summer, that our ports and rivers have scarce been free from American depredations ; and our very men of war have met with insult from foreign powers, both in their ports, and in the ocean unknown to the British flag before ? Surely, if our fleet is in such superior order and readiness, what can these disgraces be owing to, but the want of conduct, or the want of knowledge in this profession of those who superintend our naval affairs. And though, my Lords, I must and will ever do justice to the great abilities, assiduity and attention of the noble Lord who presides at the admiralty, to which I have been an eye-witness, yet his Lordship must give me leave to say, that when this great fleet (and 'tis now, I think, 280 sail of privateers flying, among which are seventy odd ships of the line)

and many more preparing) is to be put in motion, and all its detail attended to; the different proper dispositions made of it, with proper commanders in chief to the different stations: I say, my Lords, when all this is to be put properly in motion, when the calm in which his Lordship has so long presided is ruffled, and the storm begins to blow from every quarter, his Lordship must excuse me, if I do assure him, that old and experienced as he may think himself in that office, he has yet an apprenticeship to learn in that profession.

My Lords, can your Lordships, without some degree of emotion, recollect the glorious figure this nation made in the year 1761; when by the wise councils, intrepid conduct, and judicious choice of admirals and generals, and that great statesman, then at the head of his majesty's councils, and whose absence this day here I very much lament, the arms of Great Britain were carried triumphantly over the whole globe, and its flag revered wherever it was displayed. And now, my Lords, what is the dreadful contrast? Great Britain drained almost to the last guinea and the last man, and that very flag, once the terror, now the contempt of all Europe. Does your Lordships not feel indignation at this change, or do you require proofs of these assertions? My Lords, you cannot, they are too recent, too publicly known, and I fear too generally published all over Europe, to require any here.

This once great nation, being brought so rapidly from the glorious elevation it was raised to, to the very brink of destruction now, is it wise, is it prudent, my Lords, to imagine that the same identical councils and measures, if pursued, can extricate us? No, my Lords, absurd is the thought, and vain would be such a wish: for my own part, my Lords, I permit one moment of that indulgence which your Lordships have given to many Lords, that I may now say, I have great respect for, and a great opinion of the abilities and integrity of many of the noble Lords in administration; and I have the same for many of those who are out of it; and I am sure the noble Duke near me deserves every one's thanks, for the pains his Grace has taken in this enquiry, and with such knowledge and such candour as he has laid it before us: but I have no connections at present with either set; I have not the honour of being considered as of any party; my whole and sole devotion is for the honour and interest of my king and country, and to those who will most effectually promote that desirable end, and recover and support the supremacy of this

country over her colonies. I have not a wish for myself, or any ambitious or interested object to gratify, having long since determined neither to solicit, or if offered, to accept of any place or emolument whatsoever, out of my military line; and thereby convince my Sovereign and my country, (if it be possible, in these days of general corruption) that I am no ways interested in the change of men or measures, but as it tends to the prosperity of the whole. But give me leave, my Lords, to add, that in such times as these, when the great sums granted to the Crown, (great as they are) are insufficient to support the still greater expences of the Crown, I should be happy to join any set of gentlemen, in serving in any capacity that I could be thought capable of, without salary, emolument, or reward, of any kind whatsoever. My Lords, believe me, 'tis only such determinations as these, with the people of great rank and property, that will regain the confidence of our fellow-subjects, ease his Majesty's expences, and consequently lighten the burthen of his people.

My Lords, these reasons, and many more that I could enumerate, have prevailed with me to trespass on your Lordships indulgence in this stage of the business, but more particularly to earnestly entreat your Lordships, in this critical situation, to consider yourselves as those on whom the Crown must ever rely for salutary advice; as those whom the people must ever look to (under the Crown) as their hereditary guardians; and that, in that light, your Lordships will now throw off every temporary consideration of this or that side of the House, as was mentioned the other night; every obligation, that party may think they have a right, on every occasion, to claim, for this assent, or that dissent; and as the great hereditary, and I hope independent council of this nation, to which all other councils, of what kind soever, in this moment, ought to yield, that you will pursue this enquiry, as it is begun, with a strict, ample, and impartial scrutiny into the real state of the nation, and enable yourselves thereby to judge what this country can do, or what it cannot do, and humbly and dutifully advise the Crown accordingly, and take such steps as shall change the torrent of that fatal conduct, and most enormous waste of blood and treasure, which if longer pursued to no better purposes, must inevitably bring on the immediate ruin of this once great, and flourishing empire.

Earl of
Sandwich.

Earl of *Sandwich* insisted, that employing men of war transports would be infinitely more expensive than hiring

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transports ; that if men, to the number of three or four hundred, were put on board each ship, with the victualling, stores, &c. it would render them totally unfit either for offence or defence. Both marines and soldiers could not be accommodated ; and if they could, no ship of war, after being thus stored, could carry any tier of guns but those of her upper deck. His Lordship said he could give many proofs of the madness of such a plan. He next spoke to the ships, respecting their fitness for sea, the fullness of their complements, and the ability of the officers appointed to command them. He contended, that at no time since we had a navy, was it upon a more complete and respectable footing, in all those particulars, than at present. He said, he was ready to bring evidence of this to their Lordships' bar, from the very officers who were out on cruises ; and a better collateral proof could not be given of the state of the ships, than the winter cruises performed by them without any complaint being made of either the condition of the vessels, in point of repair and fitting out, or the state of their respective crews. He observed, that the noble Earl had said, that we had now as many ships of the line in commission (and 290 in all) as we had during any time the late war. As to the latter, the fact was not so, nor had we nearly as many ships of the line in commission now as then. In the year 1760 we had ninety-seven, whereas at present we had but fifty-eight. The noble Earl, after passing many commendations, which he by no means laid claim to, said, that before he should be able to fill the part he now occupies, he must serve an apprenticeship. He should not, in this, take the advice of the noble Earl. He believed, he was longer acquainted with public business than any noble Lord in that House, ever since the year 1744 ; he was likewise longer in his present office than any one of his predecessors ; to go an apprentice now, would, in his opinion, therefore, be to very little purpose ; all he could ever learn, he already knew. He hoped his Lordship would excuse him then for not following his advice. He found himself growing worse in some things every day, and he was certain he should never grow better. The noble Lord said, that the ships were not properly commanded ; if the fact was so, he was sorry for it : but he begged leave to remind his Lordship, that he told him he had a ship at his service whenever he chose to go abroad. And as to the fact of his saying, that he would have twenty ships of the line ready for sea by the first of last March, he made his word good ; he had

twenty ships of the line for home service ready; and was prepared to go into the proof of that fact, if his Lordship doubted it.

Earl of
Bristol.

Earl of *Bristol* replied, My Lords, I only rise to explain, and must flatly contradict the noble Lord, with regard to his state of the navy. His Lordship says, there are but 58 sail of the line: I will take upon me to prove, by this paper, there are at least 72. His Lordship says that fifty-gun-ships, are not of the line; I deny that; they are ships of the fourth rate, and in all the great lines of battle, which I will produce, they have been included. They are left out sometimes in great fleets occasionally. I have the first accounts, from every sea port. As to the officers of the fleet, none could be better, and I was sure would do their duty; but as to the men, I will say nothing now upon it. As to what his Lordships says, of my being appointed to a great command, and his waiting upon me, to acquaint me with it, I can only say, I certainly should not have given his Lordship that trouble. But the offer I made to serve my king and country, in case of a French or Spanish war, was in my place here, and I believe, I was the very first. In consequence of which, I was desired to name a ship for my flag. Since which, (now above a year ago) I have never heard a syllable more. And as to the ship [the *Queen*] being in every respect so fitted for me, I believe the ship itself is very well fitted; but as to the men; his Lordship must excuse me, if I said that God forbid I should put my foot on board her, manned as she was then.

Earl of
Sandwich.

Earl of *Sandwich* in reply, when he first rose to the misconduct imputed to him, relative to his plans of naval operations, said he was by no means answerable for them. As first commissioner of the admiralty, he only acted officially, he only carried into execution what had been previously determined elsewhere [in cabinet.] To the last part, relative to the number of ships in commission, he insisted the noble Earl was led into a most gross mistake. His Lordship had concluded in his last, ships of fifty guns, which were not esteemed of the line of battle, the matter was notorious, there was not a common foremast-man unacquainted therewith; therefore the noble Earl was misinformed, or forgot what he must have known, that a fifty-gun ship was not a ship of the line.

At six o'clock the order of the day for the Lords to proceed on the enquiry into the state of the nation was read, when

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when the House resolved itself into a committee, Lord Scarisdale took the chair; after which the Duke of *Richmond* Duke of Richmond. rose, and said a few words prefatory to the resolutions he meant to offer, which, he declared, turned chiefly on these points: the state of the army, and number of effective men in America in the years 1774, 1775, 1776, and 1777, with the services and events of each campaign, as appeared from the papers referred to the consideration of the committee. His Grace gave his reasons for adopting a different mode of conduct from that which he had followed on a preceding occasion, and therefore only read his first resolution, which was as follows:

“That it appears to this committee, so far as they are informed from the returns referred to them, that the greatest number of regular land forces serving in North America, in 1774, consisted of six thousand nine hundred and twenty men, including officers.”

Lord *Weymouth* said, he rose merely to object to the expediency and propriety of the committee coming to any resolutions of truths which were sufficiently obvious, just at that time; and concluded with declaring, that as the same arguments which had been used on the last meeting of the committee, applied to the present question, he would not trouble their Lordships with a repetition of them, but, as the most gentle method of disposing of the noble Duke's resolution, would move that the noble Lord quit the chair. Lord Weymouth.

Just as the chairman was about to put the question, the Duke of *Grafton* rose, and complained exceedingly of the Lords in office adopting so short a method of preventing the ascertainment of truth, and refusing to afford the nation an opportunity of acquiring the most certain and indisputable knowledge of the state of their affairs; he said, it was to no purpose to continue the enquiry, if the steps which it pointed out, as proper to be taken in consequence of it, were not pursued: that the reasons for the committee's refusing to come to resolutions of fact, were frivolous and ill founded: that the idea of preventing foreign nations from getting at the knowledge of our true situation, was absurd in the extreme. That the courts of France and Spain had much better information than could be collected from the papers upon the table. That the only people ignorant of the facts which the present enquiry was entered upon with a view of establishing, were the people of England, from whom administration withheld every species of information, and by thus

thus keeping them ignorant of their real situation, deluded them into an acquiescence with every measure taken respecting America. His Grace declared, that it would be acting a more manly part for ministers to say at once they disliked the enquiry, and break up the committee, than thus insidiously to deceive the public, by letting an idea prevail that they wished to give every information that was asked for, and that they countenanced the enquiry, when in fact, they were resolved to negative every resolution moved in consequence of it, and thus in an underhand manner effectually to check its progress, and render it useless and unserviceable. From the noble Viscount's rising to speak to the question, he had hopes of hearing from him something relative to the pacific intentions of the courts of France and Spain, and the probability of our not having war to sustain, at this critical period, against the House of Bourbon. The noble Viscount had formerly stood up, and given the House information on that head: such information would then be particularly welcome. After enlarging a good deal relative to our present situation, and the additional embarrassment which a war with France would occasion, his Grace concluded with urging their Lordships to admit the noble Duke's resolution, and not act so inconsistently as to declare they approved the enquiry, when they were taking every possible method of defeating its purpose.

Lord Weymouth.

Lord *Weymouth* expressed his surprize that the noble Duke should introduce a subject so exceedingly foreign from the question then before the committee, as a war with France and a wish that he would give their Lordships information relative to the probability of such an event. It was true he had a year ago assured their Lordships of the pacific professions of the court of Versailles; he could now do the same; nothing could be more pacific than the profession of that court at this time; he would not, however, hold himself answerable or liable to be called upon, should a war happen to break out shortly. What he stated was a fact, but that minister would, in his opinion, act very unwisely, who should so far rely on mere professions, as not to prepare for the defence of the kingdom, at a time when any of the continental powers were busy in military preparation, much more when France was arming herself. With regard to what he had said relative to the resolution, he declared he could not see the utility or the necessity of the committee's coming to any resolution at present; that in fact

was not their business so to do; that they were to proceed regularly with the enquiry, and after having gone through it progressively, and adverted to every distinct object of it, were to form some general conclusion deduced from and grounded upon the result of the whole investigation.

Lord Camden said it had at all times been the usage of ^{Lord Cam-} Parliament to form resolutions on matters of fact, which den. resolutions were considered as the *data* from which the conclusions were to be drawn; and finally to be the ground of the measures meant to be proposed, in consequence of such information. He was free to declare, that the present mode of putting a negative on every resolution proposed, was in fact pretending to give information, but refusing the use of that information; for when every fact was established, and the whole enquiry at an end, and the grand conclusions relative to future measures came to be made, where were the facts on which the House was to proceed? On the journals, negatived by the previous question, which in so many words imported, that as it was not necessary nor proper to resolve the facts, of course it must be unnecessary and improper to agree to the conclusions. The argument was obvious and incontrovertible. This then fairly amounted to a premature dissolution of the committee; and, for his part, if administration were determined to adhere to the same conduct throughout the future progress of the enquiry, he thought it would be much better to dissolve it at once; much more candid to stop its mouth, than, by a mere outside show of an enquiry, amuse the people without doors with high expectations, when it was finally resolved, by those who led the majorities of that House, that no one benefit or advantage whatever, should be derived from it.

This, he foresaw, was the intention of ministers, as soon as he understood that a noble Lord, in the other House, [Lord North] gave notice, that he intended to move some plan, tending to peace and conciliation with America. It was pretty evident, from the conduct of ministers in this House, that they intended it from the first day the committee was formed; but the noble Lord's proposing a plan of conciliation, in the other House, pending the enquiry, put that suspicion beyond a doubt. For what would be the real effect of such a proposition? But that, as soon as it was made, the enquiry, from that instant, would be at an end, at least in that House, and consequently in this. The noble Lord, by what he could learn, meant to bring in what

what he intended to propose, by way of bill; indeed it could not be otherwise, as no minister dare offer any terms to America without the consent of Parliament, because Parliament had already, by the prohibitory bill, chalked out the specific manner in which government was to treat. What, then, was the enquiry to do? Why, to produce information to that House, in order to ground measures upon; while a bill, in its several stages, was going through the same House, fixing the terms, and directing the mode in which we were to treat. The idea was to the last degree preposterous and absurd; apply the same mode of reasoning to this House. A bill is passing the other House, which is to come here for our approbation, while we are actually engaged in an enquiry, which is intended to lay a foundation for measures of conciliation. The truth was, that ministers were in a panic, when they first consented to the enquiry; they had since recovered their wonted confidence. The state of things was too critical, and the nation too much alarmed, for ministers to continue to treat the public in the lofty, contemptuous manner they had hitherto uniformly done. The enquiry must go on, or some substitute, to prevent a clamour without doors, must be adopted in its stead. The idea was ingenious, and well worthy of those who contrived it. Plans of conciliation are held out, or intended, plans perhaps very different in their nature, cannot, at the same time, by the same Parliament, be adopted; one must be thrown aside. Ministers carry their point; the enquiry is thus strangled in its birth, and the affairs of the nation are of course trusted to the conduct of the same ministers for another year, and the worst that can happen is, that they shall have failed in their last attempt as they did in all the preceding.

He augured ill, as soon as he heard of what was intended he foresaw clearly, that the committee would be short-lived; that it would meet with a sudden and immature death; that it would be strangled in its birth, by the minister and his mates.

Will the noble Lord, in the other House, after assuring it, that Great Britain would never relax, till America was at her feet, tell his friends there, that America must be treated with; that all the obnoxious acts must be repealed. After so frequently assuring the country gentlemen that revenue, and a substantial revenue, was to be drawn from the colonies; will he inform them of the melancholy tid-

ings

ings, that all thoughts of taxing our colonies are now relinquished? After the high-sounding terms of the supremacy of Parliament; of the inalienable rights of the British legislature, to compel America to unconditional submission; will he acquaint them, that that country is to be treated with as an independent state? After spending upwards of twenty-five millions, and after the loss of twenty thousand lives, will he fairly confess, that both were thrown away; and, in return for the numerous evils he has heaped on this country, will he confine his apology to a single word; that he had been deceived, or misled? There were but two methods, he said, of treating with the colonies; that adopted, of holding out pardons, which had already failed; the other by bill, containing Parliamentary powers, to agree to specific terms. Suppose that it should answer the purpose it was intended to effect, would it be but acknowledging, at least in the first instance, the independency of America. His Lordship next observed, that the colonies had solemnly declared themselves independent, and adhered strenuously to that declaration, when their affairs were at the lowest ebb. Would any noble Lord in administration, now pretend even to hint, after the flourishing state of their affairs, in the moment of victory, and elated with success as they were; that they would consent to treat on more favourable terms? No, most certainly not; so that it was clear, whatever pretended appearance of Parliamentary supremacy which might be kept up, those very ministers, who had all along contended for unconditional submission, and supremacy, in its fullest extent, were now proposing a treaty, the very basis of which was to be an acknowledgment and recognition of American independency.

He lamented, the fatal counsels which had brought this nation into its present alarming situation; and the supineness of the people, in suffering themselves, to be governed by such weak and destructive measures. To be told at one time, that a few thousand men would look America into submission; again, that the resistance proceeded only from the ambitious views of a few individuals; and that a force sufficient to free the people from the tyranny of their leaders, would immediately put an end to the revolt; and finally, when they failed in all their predictions and promises, relative to the degree and extent of the resistance, and the disposition of the people there, then, that it would be necessary to exert the full force of this country, to compel them

to a full acknowledgment of the high-sounding terms and big words of the supreme rights of Parliament, and unconditional submission: yet two campaigns have since passed; the whole strength of this country has been exerted; and what has been the consequence? A proposition from those who promised every thing, and effected nothing; confessing that we are unequal to the task; and that the only means left untried, is to offer to accede to what had been so often said we never would consent to, while we had a man to fight, or a shilling to spend.

If the plan intended, proved a good one, he sincerely wished it success. The minister acted right, to accommodate himself. His dreams of conquest, revenue, &c. were at an end. There was a time, and not long since, when he might have succeeded. That moment was, he had every reason to believe, passed away, never to be recovered. If, when a noble Lord, now absent from his place [Lord Chatham] proposed the measure of withdrawing the troops before the recess, it had been accepted of, probably such a measure would have succeeded: it was now too late. Ministers were warned, in the most plain and specific language, of the danger of rejecting that noble Lord's proposition. They were told, that something, which in its nature might sever the colonies for ever from the parent state was then in contemplation; that instead of America, or France separately we might have America, with the whole united force of Bourbon, to contend with. What was the conduct of ministers? They moved and carried an adjournment, on the 11th of December, to the 20th of January, a recess of six weeks, at so awful and important a crisis; they abandoned the interests of the nation to chance; and now, at the end of more than two months, when it was too late, came with a proposition to Parliament. What he now said, was not the effect of mere idle surmise or conjecture. He had, within a few days, seen the extract of a letter from Dr. Franklin. He did not himself correspond with that gentleman, (though on any other subject, but the melancholy one alluded to, he should esteem his correspondence the highest honour) in which he said, that a proposition tending to peace, would have been accepted of by America, at the period alluded to, but, that it was then too late. He understood, that this was further authenticated by accounts received, which he feared were too true, that America had entered into an alliance with France; and that any prospect of peace or reconciliation was entirely vanished. If the minister knew
this,

this, and knowing it, looked to the consequences, which must inevitably be a French war, his proposition would be a mockery of the nation, whom he had all along misled; and if such a farce should be discovered, woe to them who had acted in it; for however slow the people were to avenge the insults and injuries put upon them, he ventured to affirm, that it would end fatally to its authors and contrivers. It was criminal to heap every species of accumulated ruin on the nation; but it would be insolent and cruel to aggravate their miseries by so gross and barefaced a deception.

He concluded with recommending to ministers, that whatever was done might be speedily done; the moment was critical and decisive, in any event; he feared, it was too late; but whether or not, the chance of success could only arise from expedition.

The Lord *Chancellor* begged to call their Lordships' attention back to the motion before them, agreeing with the learned law Lord that it was always customary for committees to agree to resolutions of fact, but asserting, that the conclusion meant to be deduced from these facts ought to be opened to the committee, previous to their entering into any resolution. The noble Duke's intention, his Lordship declared, was altogether a secret to the committee as yet, but if he could guess at all from what had fallen from the Lords who had spoken in favour of the resolution, the proposition that his Grace meant to offer to their Lordships consideration, was somewhat similar to the proposition in General Gates's Letter; in which their Lordships were advised to withdraw their fleets and armies, and then to let America make her own terms. His Lordship declared, he should vote for the chairman's leaving the chair.

The Duke of *Richmond*. With regard to the learned law Lord, who spoke last, guessing at the conclusion he meant to draw from the various resolutions which he had moved, and might, in the progress of the enquiry, move: he said, the learned Lord certainly was at liberty to guess as much as he pleased, but it would be rather extraordinary if he hit upon the conclusion that would be offered, because he really had it not yet in his head what conclusion to form, nor could he possibly ascertain it till he had gone through the whole enquiry, and had established the various facts on which the ultimate conclusion must necessarily be grounded. Thus far, however, he would tell the committee, the object of enquiry was peace, the mode of attempting to effect which, could

could not be determined upon till their Lordships knew the real state of public affairs, the power of the nation to continue the war, the probability of its success, and how far we were able to resist an attack from the house of Bourbon, should any be made. His Grace declared, he did not believe we should soon be precipitated into a war with France, adding, that he neither rested his belief on the wisdom of administration, nor on our ability to resist an attack; but that he relied on the French king and the French cabinet, who, he well knew, were exceedingly averse to war. He could not, however, answer for accidents or incidental occurrences, which might force France to commence hostilities. There was at this time a difficulty between our court and that of Versailles; France formerly took all her tobacco (which is a necessary article of consumption, and a great object of revenue in that kingdom) from us. We were no longer able to supply her, and she had declared that she must procure tobacco from America, whom she was under the necessity of trading with as an independent state. This, his Grace said, was a difficulty, and how the British ministry would get over it, he knew not.

Upon the motion's being put, for Lord Scarfdale to leave the chair, the committee divided, when the numbers were,

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The Duke of Richmond's other resolutions were,

That it appears to this House, that the greatest number of regular land forces serving in North America, in 1775, consisted of eleven thousand two hundred and nineteen effective men, including officers.

That the operations and events in North America, during the campaign of 1775, consisted chiefly in taking from his Majesty, by the provincial forces, the forts on the frontiers of Canada, the reduction by the said forces of the whole province of Canada, except the city of Quebec, some severe actions in the neighbourhood of Boston in New-England, and the blockade of his Majesty's army in that city by the provincial forces.

That as far as they are informed from the returns referred to them, the greatest number of regular land forces serving in North America, in the year 1776, consisted of forty-five thousand eight hundred and sixty-five men, officers included.

That

That the operations and events in North America, during the campaign of 1776, consisted chiefly in a considerably advantage gained over the provincial forces in an engagement in Long Island, the reduction of Staten Island, Long Island, and of the city and island of New York, all within the province of New York; of the island of Rhode Island, within the province of Rhode Island, and a possession of part of the Jerseys, all by his Majesty's arms, under General Sir William Howe; the repulse of an assault on Quebec, under Generals Montgomery and Arnold; the raising the siege and the blockade of that city, and the recovery of Canada, together with the destruction of the American fleet in Lake Champlain, by his Majesty's forces under General Sir Guy Carleton; the evacuation of the city of Boston by his Majesty's forces; the failure of the expedition of the aid forces under Sir Peter Parker and General Clinton, against Charles Town, in South Carolina, and the breaking into the cantonments of his Majesty's army in the Jerseys by the provincial troops under General Washington.

That from the returns it appears, the greatest number of land forces serving in North America, in 1777, consisted of forty-eight thousand six hundred and sixteen men, including officers.

That the operations and events in North America, during the campaign of 1777, were chiefly on the southward—the total evacuation of the Jerseys by his Majesty's forces; the evacuation of the province of Pennsylvania by the land forces under Sir William Howe; his success in two considerable engagements with the continental army under General Washington; the occupation of the city of Philadelphia by his Majesty's forces; General Washington taking post within fourteen miles of Philadelphia; Sir William Howe's movement of his army to dislodge General Washington; and on finding the enemy's position unattackable, his retreat to Philadelphia, where he remains entrenched for winter quarters.

To the northward they consisted chiefly in an unsuccessful attack of his Majesty's forces, under Colonel St. Leger, at Fort Stanwix; the taking Ticonderoga (since evacuated) by his Majesty's forces under Lieutenant General Burgoyne; several severe engagements, with various success, and the total loss of the whole army under the said General, consisting of seven thousand regular troops, besides others; together

gether with the loss of all his artillery, stores, baggage, and his whole camp.

That the total result of the operation of his Majesty's forces, and those of his allies, during the three campaigns of 1775, 1776, and 1777, towards the reduction of the revolted provinces in North America, consisted in the taking of the cities of New York and Philadelphia; together with Staten Island, Long Island, and Rhode Island, and that there still remains to be reduced the entire provinces of New Hampshire, Massachusetts Bay, and Connecticut; all the continental parts of Rhode Island and New York, the whole of the provinces of East and West Jersey, the province of Pennsylvania (except the environs of Philadelphia) the counties on Delaware, the entire provinces of Maryland, Virginia, North Carolina, South Carolina, and Georgia.

That the number of his Majesty's land forces in all North America, under the several commanders at Philadelphia, New York, Rhode Island, and Canada, according to the latest returns, consisted of thirty-six thousand seven hundred and thirty-one men.

That it will require a reinforcement of eleven thousand eight hundred and eighty-five men, of old troops, to make the present army in North America, consisting of thirty-six thousand seven hundred and thirty-one men, equal to what it was in the course of the last campaign, when it consisted of forty-eight thousand six hundred and sixteen regular old troops.

That of the thirty-six thousand seven hundred and thirty-one men, which constituted the several armies in North America, according to the latest returns, there were at the same time four thousand six hundred and thirty-nine men sick.

That the number of land forces in North America, on the 1st of August, 1774, together with those that have been sent to America, from Great Britain or Ireland, since that period, to the 31st of December, 1777, and those few companies that have been raised in America, amount to sixty-one thousand six hundred and forty-eight men, and that deducting the present army of thirty-six thousand seven hundred and thirty-one men, there appears to be lost by death, desertion, captivity, or otherwise, twenty-four thousand nine hundred and seventeen men; that there are five thousand five hundred and thirty-six prisoners, which, when exchanged or returned, will reduce the loss of men in the last

service to nineteen thousand one hundred and eighty-one; to the end of the year 1777.

Which were severally negatived by the House after Lord Sandwich left the chair.

Adjourned to the 19th.

February 19.

Previous to the order of the day being gone into,

Earl of *Bristol* rose, and said, that he thought it a duty Earl of *Bristol*.

owed the House, as well as himself, whenever he had

stated any matter of fact to them, to be as accurate as he pos-

sibly could, who had no information officially. That he

had asserted to their Lordships the other night, that there

were between 280 and 290 ships and vessels in commission,

twenty-two of which were of the line; and that the noble

lord at the Head of the Admiralty had thought proper to

deny the number of ships of the line, without the fifty-gun

ships were included, which his Lordship [Earl of Sand-

wich] would not allow to be of the line; but he begged

leave to produce to their Lordships a list of the names of

every ship in commission of the line, which were 64 with-

out fifty-gun ships, and seventy-eight including them, and

22 sail of pendants flying in all.

That as to ships of fifty guns being reckoned of the line,

his Lordship was ashamed to argue it; but he had brought

several original lines of battle, of the two last wars, from

great admirals, wherein they would find fifty-gun ships al-

ways included; that whenever the numbers of our line ex-

ceeded those of the enemy, the smallest ships of the line

were on that occasion always by signal put out to be ready

to replace any others damaged in the action; but his Lord-

ship added, he had asked several sea-commanders, who were

surprised at the doubts. His Lordship concluded, with say-

ing, that even on the noble first Lord of the admiralty's

ground, with all his official knowledge and assistance, that

instead of fifty-eight sail of the line, that he asserted there

were no more of, he insisted on there being sixty-four, with-

out even the fifty-gun ships, which made seventy-eight, and

that he would not include the *Formidable* of ninety guns,

fitting for an admiral, and the *Mars* of seventy-four; he

believed just paid off, being found rotten, though so lately

paired at so great expence.

His Lordship added, that whenever he was doing his du-

ty there by his country, and stating facts to the best of his

knowledge, he would not permit the assumed power of any

man,

man, however high in office, to restrain him there, or misrepresent him elsewhere.

Earl of
Sandwich.

Earl of *Sandwich* replied, he would likewise not be silenced by any Lord whatever, when he was upon a point of right; he therefore stuck to his first assertion, that there were more than 58 line of battle ships, and that fifty-gun ships were not included as such that ever he heard of; he confessed indeed, there was one ninety-gun ship, and two or three others, which perhaps may make the noble Lord's calculation pretty right, but those were not ready for sea, though they were in commission.

Earl of
Bristol.

Earl of *Bristol* said, he would not draw off their Lordships further from the business of the day, other than to abide by the list he had drawn out upon that paper being authentic; and as, says he, to his Lordship's thinking, I made no distinction between ships being fit for sea and commission, if it was to calculate only by the former, I would not allow his Lordship half the number.

The House went into a committee of the whole House, Lord Scarfdale in the chair.

Duke of
Richmond.

The Duke of *Richmond* said, he must particularly intercede for their Lordships' indulgence, as the subject he was about to treat of that day was in its nature dry and unpleasant. That to look into their private accounts, he believed, was a matter which, however disagreeable it might be at all times, was on some occasions indispensably necessary, especially so when their Lordships' stewards had ruined their estates. The motion, his Grace said, was, in consequence of the war, rendered almost bankrupt; and although the enormous expenses which had been incurred was past a remedy, it might yet be right to enquire by what means the ruin had been brought on, and to ascertain how far the stewards were to blame, in order to prevent the same stewards from continuing in office, and being entrusted in the conduct of those means which might offer themselves, as proper to be practised for the redemption of the public estate.

Having premised thus much, his Grace proceeded to inform their Lordships, that he meant to go into an investigation of the expenses which the American war had cost the nation; and as he had heard that proposals for peace were agitating in the Lower House of Parliament, he was particularly happy in having been able to prepare the subject for their Lordships, as he thought it might essentially tend to rest the Lords in office in the pursuit of their pacific policy.

poses, and in the forwarding of those measures which he understood would shortly be submitted to the consideration of the House: respecting these motions, his Grace declared, he should for the present reserve his sentiments, as he thought them too material and important to be spoken to upon hearsay, or the vague report of any particular expressions which might have fallen from any person in the course of conversation in another House of Parliament, but that he should pay every possible attention to the subject, when it was committed to paper, and was regularly before their Lordships.

In order the better to ascertain the expences of the war, the Duke said, he had taken the *ratio* of the public cost for four of the years when we enjoyed profound peace; and as we had not been burthened with expence on account of any foreign war, during the continuance of our war with America, he conceived that it was fair to ascribe to that alone every excess in point of public expenditure, which could be made appear to have taken place during that period, upon a comparison with the state of the public expenditure in time of profound peace. His Grace, after informing their Lordships, that a minute investigation of the various articles which formed the divisions and subdivisions under the great heads of public expence, would take up too much of their Lordships time, and, in fact, would swell his detail to a much larger size than it would be possible for their Lordships, with their utmost attention, to comprehend at once, declaring he should content himself with considering the standing expence of the nation at all times under the three great heads, namely, the army, the navy, and the ordnance, comprehending under each of these heads, the ordinaries and extraordinaries, the navy debt, &c. His Grace then took out a manuscript sheet from some papers which he held in his hand, and stated from it to the House, the gross sums which the army, the navy, and the ordnance cost upon an average in times of peace; what they cost in 1775, and what in 1776. With respect to 1777, he was obliged, in some sort, to rely on calculation, as the increase of the navy debt was not yet reported to the Lower House: but that in every matter relative to the enquiry which he had troubled their Lordships about, he had taken the greatest care to state the number and value of each article considerably under the proper *quantum* and rate, and on the present occasion he had pursued the same rule, and so unwilling was he to mislead their Lordships, that if any of the Lords in office thought he erred in any one particular,

he would readily give up his own sum, and let that which they declared to be the just one, take its place in the account.

From the state of the year 1777, when the seamen voted were encreased to 45,000, and there was a vote of credit for a million, the Duke reported that the excess was six millions nine hundred and odd thousand pounds.

With regard to the present year, his Grace said, he should take that up as to the number and expence of the seamen, upon the ground of the votes, and regulate each other article by an average of the expence of the year 1777, which he conceived their Lordships would think at least a moderate calculation.

The seamen voted for the service of the present year were 60,000; the increase of expence on which account, as well as the increase occasioned by the new levies of 16,000 men for the army now raising, added to the presumed amount of each of the other articles, together with a vote of credit of a million, which he supposed would take place as usual in time of war, this stated would increase the excess to nine millions.

Adding together the amount of the excess of each of the four years, as stated above, the Duke said the amount of the whole would be found to be twenty-three millions eight hundred thousand and odd pounds.

Besides which, his Grace bid their Lordships recollect, that if peace was so far forwarded, that the preliminaries were to be signed as that day, that nevertheless there would remain a tail of expence which would amount to a considerable sum. In order to explain this, the Duke referred to the accounts of the state expences for the four years following the close of the last war, from which it appeared, that the bringing the soldiers home from Germany, and other expences (which his Grace circumstantially stated) swelled to the enormous sum of eleven millions. Were peace made with America, many and obvious would be the causes of expence. We had much farther to bring our army home than from Germany; transports, &c. would cost a great deal; and, add to this, the Hessian soldiers were not only to be paid for, as if in actual service, to the moment that they were delivered in Hesse proper, but a year's subsidy was to be paid that prince after his men had been so delivered. These, and a great variety of causes, would, the Duke said, co-operate to create expence; and, as the tail of expence after the last war had amounted to eleven millions, he conceived he might fairly estimate the tail of expence which would follow our war with America at nine millions.

tions, which, added to the twenty-three millions eight hundred thousand and odd pounds, already incurred, would make the expence of the war, were it ended this day, near thirty-three millions.

His Grace added, that every additional year it was continued, would at least cost nine additional millions; and after reasoning some time on the incapacity of the state to bear the burthen, said, he hoped, as the resolutions of fact which he meant to move would essentially serve the project of making peace, about to come under their Lordships considerations, as they would open the eyes of the public, and convince the people at large, of the necessity of putting an immediate end to the war, that they would not be opposed, and meet the state of the others, which he had moved on prior occasions. His Grace then moved,

“ That it appears to this committee, that the expences of the navy, army, and ordnance, as voted by Parliament, and taken on an average of years of profound peace, have not exceeded the sum of 3,371,000*l*.”

Earl of *Suffolk* said, in his opinion it was highly inexpedient and exceedingly wrong, to admit the resolution now urged, and he, for one, should certainly give it his negative. He could not at all agree to the doctrine, that resolutions being founded in fact, was any argument why they should be agreed to. There were many truths that might be easily ascertained to their Lordships, which it would be extremely improper to declare, or give a parliamentary sanction to.

He said, if he had foreseen the manner the committee was to be employed, he should have opposed it in the most direct manner. The noble Duke had alluded to measures proposed in another House; and supposed, that the information brought forth in the committee would furnish ministers with a reason or apology for changing their plan. For his part, he was of opinion, that proposing to resolve matters of fact, declarative of our weakness, would operate in a manner directly the reverse, and render the plan of peace, which his Grace seemed desirous to accomplish, much more hazardous and difficult. The noble Duke, though he had stated facts, had proved thereby nothing consequential; the decrease of commerce, loss by captures, fall of stocks, increase of expence, and loss of lives, which the noble Duke had brought forward to enlarge the picture of our national distress, were not unusual; they were uniformly the concomitants of a state of war. But he had no other objection to the resolutions but the uncertainty

tainty of the calculations, that would be sufficient to determine his vote on the present occasion. It was impossible yet to determine, what the extra expences of the army, for the year 1777, would amount to. The account of the navy debt of the same year was not yet before the House, though the noble Earl near him [Lord Sandwich] computed it on memory to be one million three hundred thousand pounds and a fraction. The difficulty was still greater in respect of the extra services of the present year, which could not be estimated till the next year. So that if he had no other reason to oppose the resolutions, their want of certainty and accuracy, as to the sums specified, fully justified him in his intended motion, which was, "that the House be refused."

Duke of
Richmond.

The Duke of *Richmond* replied, that the noble Earl need not have puzzled himself in search of arguments which, at the best were but palliative. He might have spared himself the trouble to hunt for apologies for his present conduct, under the pretence, that assenting to the resolutions would be a public declaration of our national weakness; for the truth was that our weakness was already known to every body but ourselves, and that long before the present committee was formed: but if a doubt remained, the moving the resolutions in the House, where they must stand recorded on our journals, and from thence make their way to the public, as so many acknowledged facts by those very persons who put a negative upon them at once, annihilated the pretence of concealing either our present dangerous and defenceless state from our enemies, or the nation at large. It would be much more consonant, therefore, to the noble Earl's candour, and that haughtiness and explicit tone affected by ministers, to declare, that the reason which induced them to put a negative on the matters of fact alluded to was, because those facts contained the most full and unequivocal proofs of their misconduct; and informed the nation, that its present ruinous and alarming situation was brought upon it by a set of ministers who had wantonly plunged it into an unjust and unnatural war; who had spilt its best blood, and already wasted twenty-four millions of its treasure; and now, after persisting in these weak and wicked measures for more than three years, after refusing to so much as hear of any terms, but such as would have rendered the colonies mere slaves, were now preparing to sue for peace, and make the most humiliating concessions. He remarked, it was no great discovery the noble Earl had made, when he said, a state of war was attended with

with expence ; the assertion was granted before it was made ; but when the objects of war were considered, even with a foreign enemy, which implies a necessity, offensive and defensive ; and was compared with the present, which was war only made on our own subjects, he was astonished how the noble Lord could offer to amuse their Lordships with a general assertion, every way inapplicable to the occasion and event. If we went to war even to obtain a just object, had we obtained it ? No !—We had spent every drop of blood, and every shilling, not barely to no purpose, but to the worst purposes ! We had lost, in the first instance, one third of the empire ; we had lost America.

His Grace observed, that it behoved the country gentlemen to look to the melancholy situation they had brought themselves into, by the implicit confidence they reposed in such ministers, and that in pursuit of a mere trifle. In order to obtain a penny, they had risked a pound ; both were lost, and now they had the comfort to reflect, that they had contracted for a debt of thirty-three millions, which was saddling themselves and their posterity with a perpetual land-tax (for by the lands this burden must be ultimately borne) of four shillings in the pound.

The noble Earl threatened a dissolution of the enquiry, on account of the improper manner in which it was conducted. Why did not his Lordship, or some other of the King's servants, take a part in it ? The committee was as open to them, as to any other noble Lord. It was meant to be a general, not a partial enquiry. The very title of it imported so much. Did not an enquiry into the state of the nation invite every one of their Lordships to contribute and take a share in it ? For his part, if the noble Earl wished to dissolve the committee, he had no personal reason, at least, to wish for its continuance. He had gone through as many heads as came properly within his knowledge, habit of life, or application. He hoped some other Lords would take up the enquiry where he ended ; and that, particularly, those papers on the table, relative to the navy, would be taken into consideration. As there was a bill, however, now before the other House, containing a plan of conciliation with America, which must of course come before their Lordships in the course of the ensuing week, he recommended to postpone further proceedings in the committee till that bill should be disposed of,

Earl

Earl of *Coventry* said, the great characteristic marks of national prosperity were population, riches, respect with foreign powers, the dignity of the crown, and union among ourselves. When any of these were confessedly wanting, it was a demonstrative proof, that, let the cause originate where it might, the nation did not enjoy that state of prosperity which was deemed desirable. When they were all wanting, it was no longer a doubt, but, besides radical causes, that the government of the country was placed in improper hands; particularly if the transition was sudden, from a state of the greatest and most justly envied prosperity, to the most humiliating and degrading. If no probable cause of such a sudden transition was apparent, then the evils, of whatever magnitude or extent of effect, might be fairly laid at the door of those to whom the exercise of the executive powers of the state were intrusted.

His Lordship then proceeded to consider the state of the nation under these several heads.

In point of population, experience had proved beyond question, that our numbers were visibly on the decrease. The great load of debt, and the consequent difficulty of procuring a comfortable livelihood, from the enhanced price of the necessaries of life, had produced a spirit of emigration; he perceived the decrease of numbers in his own neighbourhood: he did not think it fair to draw conclusions from local effects, operating in this or that neighbourhood, or district; but, he said, he was fully justified, by the tardy and unsuccessful manner the recruiting service had been carried on, to maintain his proposition as a general one. Recruits were not to be had on almost any terms. Ministers said, the war was a popular war; it might be so: if it was, it afforded an additional proof of the truth of his assertion, that our numbers were on the decrease, which was one of the most certain indications of the decline of national prosperity.

Riches was the next test of the true state of any country. He heard a great deal of the opulence of individuals. He was daily a witness of the increasing luxury and dissipation of the times: but were those marks of natural prosperity? He believed not. If individuals were rich, was not the state poor? Who could say where the property was, in which every man almost counted himself a partner? Was not a great part of this property ideal? Could those who were spending their fortunes in folly and debauchery, and either robbing the public or beggaring their own families, be said to be rich?

rich? Certainly not: and he even had many doubts, as to individual riches. He allowed, there was a great many persons, perhaps more than at any other period, who carried on considerable mercantile and other trading business: but was it because this or that man could write his name on a slip of paper for 3000*l.* that such men were to be deemed rich? By no means. It shewed no more, than that our credit was immense; that our very inability to pay furnished us with the means of appearing opulent: but when it was considered, that more than a hundred millions of the standing property of the nation was ideal, and only due from ourselves to ourselves, that paper in other transactions was the chief medium of trade and commerce; we had every reason to believe, that not only the state was poor, but that even individuals were far from being opulent; and if we should continue to go on as we had for the last ten years; and, in consequence of such a career, we should be drove to rely solely on our real resources, instead of paper, he feared, so far from being an opulent, we should find ourselves a most indigent and distressed nation.

As to the dignity of the crown, and the personal ease of the Sovereign, he had every reason to believe this would be found wanting. There was towards the close of the last session a very considerable sum of money granted to discharge the arrears of the civil list, and a much more considerable augmentation made to his Majesty's income. He believed, that the money granted by Parliament, served to relieve some persons about St. James's, and answered other purposes; but further the generosity of Parliament neither appeared nor was felt; and thus the money intended for the fairest, most honourable, and noblest purposes, was employed to others of a very different and pernicious nature.

On national character, or the respect which we bore with foreign nations, that, he had every reason to believe, was all in a more marked contradiction to what was generally understood to denote national prosperity. The truth was, that we had been for some years insulted and contemned by almost every power in Europe, with whom we had any thing to do. The United Provinces, who were our ancient, and, in some respects, our natural allies, had not only refused us all aid, but had actually from the commencement of the present contest, given every assistance they could to our revolted subjects in America. Another great power on the continent [Prussia] had, on account of a state of war, due ever since the late inglorious peace, refused a passage

passage to the foreign troops taken into our pay ; by which the most favourite measures of our ministers, as far as that circumstance could be supposed to operate, were defeated. France, our natural rival and enemy, had carried on a trade with our colonies, and had supplied them with all kinds of military stores ; by which particular assistance, more than any other circumstance whatever, our colonies had been enabled to resist the most vigorous exertions of the whole force of this country. If respect with foreign powers was an evidence of national prosperity, surely national prosperity was never at a lower ebb.

On the last point, that of union at home, he said he believed, since the first establishment of government in this country, it never was more disunited. The other causes operating so strongly, he said it was impossible it could be otherwise ; and now he was free to declare, he saw no means of saving us from certain destruction, but taking the advice given by Manly in the play of the Provoked Husband, to his friend Sir Francis Wronghead. In the midst of the knight's distress, he applies for advice to Manly, who tells him, " Sir Francis, the road which brought you here will lead you back to the place from which you set out." Now says his Lordship, I cannot help thinking that the wisest way for us to recover from the distress brought on this country by the fatal effects of the American war, is to tread back step by step every one motion we have made respecting it.

Earl of
Suffolk.

Earl of Suffolk replied, that Great Britain was by no means that contemptible country in the eyes of other courts which had been described. What the noble Earl had asserted relative to the Dutch, was altogether ill-founded. No person on earth could have acted a more friendly part than the States of Holland had taken, respecting Great Britain, from the commencement of her quarrel with America. It was very true, that interested individuals had attempted more than once to trade with the rebel subjects of this country, but soon as the British minister at the Hague had presented a memorial, stating any such fact, the greatest respect and attention had been immediately paid to it. The noble Earl was equally mistaken, respecting the German prince's refusing to suffer our German auxiliaries to pass through his territories. The fact was, that a denial was given, but it was by no means hostilely given, or placed upon an unhandsome footing ; very different reasons were assigned from those stated

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the noble Earl, and such reasons as Great Britain readily admitted the propriety and force of.

The question put, that the chairman do leave the chair. Contents 66, non-contents 28.

As soon as the House was resumed, the Duke of *Rich-* Duke of
mond moved several resolutions, founded on the several *Richmond*.
facts stated, in the course of his speech, which were severally negatived by the previous question.

The following is an exact copy of the RESOLUTIONS.

No. I.

That it appears to this House, that the expences of the navy, army and ordnance, as voted by Parliament, and taken on an average of years of profound peace, has not exceeded £3,371,000 *per annum*, under the following heads:

NAVY.

16,000 seamen, at 52l. <i>per ann. per man</i>	£ 832,000
Ordinary of the navy, upon an average, from 1764, to 1772, inclusive	410,000
Ship-building taken upon an average, from 1766, to 1770, inclusive	284,000
Annual increase of navy debt on 16,000 seamen, taken on an average of 65, 6, 7, 8, 9	111,000

Total of navy expence 1,637,000

A R M Y.

Guards, garrisons, plantations, &c. about Chelsea and half pay, &c.	1,000,000
Staff, widows, &c.	230,000
Extraordinaries of the army, on an average, from 1768 to 1775	15,000
	269,000

Total of army expence 1,514,000

O R D N A N C E

Ordinary	170,000
Extraordinary	50,000

Total of ordnance expence 220,000

Army 1,514,000

Navy 1,637,000

Total of establishment for navy, army, and ordnance, on an average of years profound peace 3,371,000

No. II.

That it appears to this House, that the expences of the navy, army, and ordnance, for the year 1775, exceeded the peace establishment in a sum not less than £1,783,225, under the following heads:

NAVY.

Seamen, 18,000, at 52 <i>l.</i> per ann. per man	936,000
Ordinary	444,680
Ship-Building, and Greenwich hospital	303,379
Increase of navy debt	812,479
Total of navy expence	2,496,538

ARMY.

Guards and garrisons	627,680
Forces in the plantations	386,186
Difference of pay at Minorca and Gibraltar	2,874
Generals and staff,	11,473
Chelsea hospital	122,221
Half-pay	105,326
Reduced horse-guards	870
Widows	628
Augmentation of 4,383 men, land forces	67,706
Difference of British and Irish pay for dragoons	9,530
Hanoverians voted 1776, for service of 1775	26,783
Extraordinaries voted 1776, incurred 1775	845,160
Total of army expence	2,206,457

ORDNANCE.

Ordinary	228,050
Extra, voted 1776, incurred 1775	223,170
Total of ordnance expence	451,220
Army	2,206,457
Navy	2,496,538

Total navy, army, and ordnance expences	5,154,225
Deduct the peace establishment	3,371,000

The excess of expence in the year 1775, over and above the ordinary peace establishment, was

1,783,225

No

No. III.

That it appears to this House, that the expences of the navy, army, and ordnance for the year 1776, exceeded the peace establishment, in a sum not less than 6,133,582*l*. under the following heads :

NAVY.

Seamen, 21,000, at 52 <i>l</i> . per ann. per man	1,456,000
Ordinary	426,904
Ship-building	339,151
Greenwich hospital	5,000
Increase of navy debt	1,926,159

Total of navy expence	<u>4,153,214</u>
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ARMY.

Guards and garrisons	659,200
Forces in the plantations	723,132
Difference of British and Irish pay	42,530
Generals and staff	11,505
Chelsea hospital	107,512
Half pay	97,575
Reduced horse-guards	850
Pensions to widows	608
Augmentation of land forces	89,063
Ditto	15,072
Ditto	80,984
Ditto	7,938
Ditto	137,448
Highlanders, 2 batt.	47,400
Hanoverians, 1776	46,838
Hessians	381,887
Ditto artillery	13,973
Ditto levy money	4,244
Hanau regiment	19,006
Artillery of ditto	3,383
Brunswickers	121,475
reg. of Waldeck	16,483
Extraordinaries incurred 1776 and voted 1777	<u>1,200,602</u>

Total of army expence	<u>3,829,008</u>
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ORDNANCE.

Ordinary	-	-	-	249,655
Extraordinaries	-	-	-	272,705

Total of ordnance expence	522,360
Vote of credit	1,000,000
Navy	4,153,214
Army	3,829,008
Ordnance	522,360

Total navy, army, and ordnance expence	9,504,582
Deduct the peace establishment	3,371,000

The excess of expence in 1776, over and above the ordinary peace establishment, was 6,133,582

No. IV.

That it appears to this House, that the expences of the navy, army, and ordnance, for the year 1777, will exceed the peace establishment in a sum not less than 6,977,985, under the following heads :

NAVY.

Seamen 45,000 at 52l. <i>per ann. per man</i>	2,340,000
Ordinary and Greenwich hospital	405,805
Ship-building	465,500

Total of navy expence (exclusive of navy debt) 3,211,305

ARMY.

Guards and garrisons	648,000
Generals and staff	11,473
Forces in the plantation	949,720
Difference in British and Irish pay	47,178
Foreign troops	571,566
Artillery to ditto	31,200
Half-pay	94,371
Chelsea	105,279
Widows	370
Additional foreign troops	96,034
Old German claims	41,820

Total of army expence (exclusive of extraordinaries) 2,597,029

ORDNANCE

A. 1778.

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ORDNANCE.

Ordinary	-	-	-	320,111
Extraordinary	-	-	-	300,483

Total of ordnance 620,594

Part of vote of credit - - 793,300

Navy expence 3,211,305

Army 2,597,025

Ordnance 620,594

7,222,224

The increase of the navy debt, and the extraordinaries of the army for this year, not being as yet laid before Parliament, are not included in the above account. In the year 1776, when there were 17,000 seamen, and several thousand land forces less than in 1777, these two articles amounted to 3,126,761. If in the present year they should not exceed that sum - - - - 3,126,761

The total expence for navy, army, and ordnance, will be - - 10,348,985

Deduct peace establishment 3,371,000

Excess of expence in the year 1777, over and above the ordinary peace establishment 6,977,985

No. V.

That it appears to this House, that the expences of the navy, army, and ordnance, for the year 1778, will exceed the peace establishment, in a sum not less than 4,860,268l. exclusive of navy debt, and extraordinaries of army and ordnance, and including those articles, in a sum not less than nine millions

NAVY.

10,000 seamen, at 52l. *per ann. per man*, 3,120,000

Ordinary of the navy and Greenwich hospital 397,200

Ship building - - 488,695

Total navy expence, (exclusive of navy debt) 4,005,895

ARMY.

ARMY.

Guards and garrisons	-	-	634,240
Forces in the plantations	-	-	960,843
Half-pay	-	-	90,939
Reduced horse-guards	-	-	712
Chelsea Hospital	-	-	105,431
Widows	-	-	238
Generals and staff	-	-	11,473
Difference of British and Irish pay	-	-	52,923
Foreign troops	-	-	652,852
Artillery to foreign troops	-	-	27,379
Augmentation of 15,016 British forces	-	-	286,632
Ditto of 1,032 British land forces at Gibraltar	-	-	18,895

Total army expence, (exclusive of extraordinaries) - - - 2,842,557

ORDNANCE.

Ordinary - - - 382,816

Vote of credit - - - 1,000,000

Navy expence 4,005,895

Army 2,842,557

Ordnance 382,816

Total expence for navy, army and ordnance 8,231,268

From whence deducting the usual peace establishment - - - 3,371,000

The excess already voted for 1778 is 4,860,268

In the above account is not included the navy debt, nor the extraordinaries of the army and ordnance; those three articles, in 1776, when there were 32,000 seamen, and upwards of 16,000 land forces less than in the present year, amounted to 3,339,307l. And as these expences generally increase in some degree of proportion with the number of men employed it is probable they will, for the present year, amount to a sum not less than 4,200,000

Which will make the excess, for the year 1778, amount to - - - 9,060,268

No. VI.

That it appears to this House, from the experience of past times, that whenever peace shall be restored, great expence

A. 1778.

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ences must necessarily be still incurred. That the charge of paying the troops till they can be brought home, and before they can be disbanded, and particularly the foreign troops; for some of which this nation is to pay even for twelve months after they are returned into their own country; the expence of re-conveying our army, artillery and stores, across the Atlantic, and sending the foreigners to Germany, and the arrears and demands of various sorts, will create an excess of expence in the years immediately following a peace, little short of what it will be in the last year of the war. From whence it appears, that if peace was this day restored, the cost of the present war would be as follows:

Excess in the year 1775	-	-	1,783,225
1776	-	-	6,133,582
1777, probably upwards of			6,977,985
1778, probably upwards of			9,000,000
			23,894,792
And if peace is not concluded till the end of this year, 1778, probably the further some of			9,000,000
			32,894,792

Adjourned to the 23d.

February 23.

No debate. Adjourned to the 25th.

February 25.

The Duke of Bolton moved, "That an humble address Duke of Bolton.
be presented to his Majesty, most humbly to beseech his Majesty, that he will be graciously pleased to give directions, that there be laid before this House, copies of the last returns of the state and condition of his Majesty's ships and vessels of war, now in America, and under the command of Lord Howe."

Agreed to.

His Grace next moved, "That the surveyor of the navy do attend this House on Monday next (March 2, being the day to which the committee on the state of the nation was adjourned.)"

The Earl of Sandwich said, that the enquiry into the state Earl of Sandwich.
of the nation, had already been pushed further than was warranted either by prudence or policy; that with regard to the state of the navy, for his own part, he cared not how closely

closely the subject was investigated ; but viewing the matter as a statesman, he could not withhold his objections against the present motion. It was not possible for it to answer any good purpose, and if carried, might do the state much mischief.

Duke of
Bolton.

Duke of *Bolton* replied, that from what the first Lord of the Admiralty had so often said respecting the flourishing state of the navy, he little expected to see him rise and impede that enquiry which tended to prove what the Earl declared he wished all the world knew. All he aimed at was to obtain authentic information, and at this critical period to convince the nation of the real state of the navy. There was no person was surely so proper to throw light upon the subject as the surveyor of the navy ; the propriety or impropriety of the questions might be determined at the time, without putting them. He meant not to enquire into the state of the ordinary, or to press upon any tender ground. He merely intended to interrogate as to the condition of the ships in commission, which he conceived to be a fair object of enquiry, and he could not but hope that their Lordships would concur with him in opinion, and support his motion.

Lord Chan-
cellor.

The Lord *Chancellor* left the woolfack, and said, that he would examine the surveyor of the navy, who, of course, was in every secret respecting the state of the ships in actual service, or preparing for service, was, in his opinion, highly impolitic. The first Lord of the Admiralty had repeatedly declared the navy to be in a flourishing condition, and he did not doubt but it was so. To what end then examine an officer at the bar, whose examination, most probably, would tend to divulge matters which ought to be kept secret ? Two hundred questions or more might be put to him, for nobody could foretell either their number or their nature. It was no justification therefore of the present motion, for the noble Duke singly to declare, that he would not press upon tender ground, much less was it a justification of it for his Grace to remind their Lordships that it was in their power to prevent any improper questions being put ; such a prevention or refusal would have a worse effect than a compliance with every question that could be proposed for men without doors would naturally imagine, that the answer must necessarily have been more alarming than possibly it would have turned out.

Duke of
Richmond.

The Duke of *Richmond* said, he hardly knew in what manner to reply to the strange objection which he had just heard

made to the noble Duke's motion; the Lords in office were determined to preclude Parliament from reaping any benefit from the enquiry. There had not been a single proposition made by the Lords who sat near him, tending to obtain information as to the real state of the nation, which had not been objected to, and denied since the enquiry was begun. To what end then pursue the enquiry? Let their Lordships recollect, that it was not now the moment to debate or refuse what was urged by the noble Duke in his motion. The House had resolved to enquiry into the state and condition of the navy previous to the recess. Before that resolution was come into, was the hour to object, and not the present. Parliament had resolved to enquire, Parliament now wished to enquire, and the Lords in office were endeavouring to prevent them from so doing. The noble Duke moved for the surveyor of the navy to attend at the bar, and the learned Lord who had left the woolstack objected! Why? Because the surveyor of the navy knew every thing relative to the real state and condition of the navy! The very reason, in his opinion, why the surveyor, of all other men, was the most fit person to be examined. With regard to what had fallen from the first Lord of the Admiralty, how was his declaration of that day to be reconciled with his language on the first day of the session, when, in reply to the speech of a noble Earl, not then present, [Earl of Chatham] he had said the navy was in so flourishing a condition, that he cared not who knew it; that he wished foreign powers were acquainted with it, as he was sure it would effectually tend to preserve us from any probability of a war; that he cared not how soon the enquiry was begun, and that he would assist as far as he could: now that the day of enquiry was approaching, that the means for effectually coming at a true knowledge of the condition of the navy were actually entered upon, the noble Lord said, as a statesman, he wished the House to proceed no further. Was this consistent? He saw now, however, that administration uniformly persisted in attempting to deceive the public.

Earl of *Sandwich* said, that the noble Duke who made the motion, knew that in every country there were ships *upon paper which were not fit for service.* That it was always to put the best face upon the state of the navy, and it never had been deemed wise to pry too minutely into particulars, which if generally known, could do no good, but might be the cause of injury to the nation; he repeated that

the navy was in a most flourishing condition, and advised the noble Duke to withdraw his motion.

Duke of
Bolton.

The Duke of *Bolton* said, that he was far from wishing to expose the weakness of the navy, and that from what the first Lord of the Admiralty had so often said about its fine condition, he could not but be greatly surprised at his present language. His Grace declared our ships were the best bull-dogs we could turn out against foreign powers, and that he was in hopes to have found the noble Earl's declaration respecting the navy true, and not to have been forced to believe, that they, as well as his motions relative to the quantity of timber in our yards, &c. were mere parade, and words of high sound but little import.

Ld. *Dudley.*

Lord *Dudley* said, it was a custom in all countries to keep the state of the navy as secret as possible.

Duke of
Richmond.

Duke of *Richmond* said, it was evident the first Lord of the Admiralty was running away from an enquiry, which he had pretended to be eager to begin: that the whole business, as most of the Lords in office treated it, rendered the enquiry a mere joke, or something worse, a deception of the nation!

Earl *Gower.*

Earl *Gower* said, that he had no doubt but every one of their Lordships lamented that some of the papers then upon the table had been asked for. That the account of the situation of the cruizers, was exceedingly improper. The present motion was equally so. *Cui bono* at this time, when we were probably on the eve of a war with France, to expose the weak parts of the navy, and teach foreign powers how they might best attack us?

Earl of
Effingham.

Earl of *Effingham* produced two extracts; one from the journals of the Lords, and the other from the Commons shewing that in 1707, on a similar enquiry, the quantity and value of the naval stores then in the yards, were given in each House, and other matters, to the full as delicate as the object of the present motion, were fully entered upon. He wished the noble Earl who said we were on the eve of war with France, would have spoken more fully to so important a point; in order that the House might judge of the propriety of immediately advising his Majesty to call out the militia, and of taking other measures to put the kingdom into a better state of defence.

Earl *Gower.*

Earl *Gower* to explain, said, that he had only in the course of his speech mentioned a war with France as a probable event; that as affairs stood at present, and considering the situation

situation of this country with America, it was not at all unlikely, and therefore it was natural for him to have his apprehensions of its taking place soon. Before he sat down, he said, he must declare, that he knew nothing of a treaty having been signed between the court of France and America, as had been reported, and he would venture to say, the rest of the King's ministers were equally unapprised of any such circumstance.

Earl of *Radnor* declared, if the motion were rejected for the reasons which had been assigned, their Lordships would treat the present first Lord of the Admiralty with more respect than their ancestors had treated the husband of the Queen of England on a former occasion.

Duke of *Bolton* ridiculed the idea of the account of the cruizers in November last, doing any disservice at this time.

The question was called for and put :

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February 26.

Private business. Adjourned to March 2.

March 2,

Previous to the order of the day,

The Earl of *Abingdon* said, Having, before the last recess of Parliament, made a motion to your Lordships concerning the American prisoners in this country, it was agreed to, and ordered accordingly by your Lordships ; but, my Lords, from the papers that have been laid upon your Lordships' table, I find that neither the orders of this House, nor my motion, have been complied with,

It is true, my Lords, the papers contain the fullest and clearest proofs (as I will shew your Lordships upon a future day) of the misery and distress of some of those unfortunate people ; and so, of course, my Lords, proves the propriety of my motion, in order to their relief ; but this was not the all I had in view.

To relief I meant to add censure, if not punishment, to those who, through these unhappy victims to tyranny, had violated the constitution of this country, and broken the laws of the land.

My motion was, to have all the orders and instructions, that had been given to the several gaolers, or keepers of other houses of confinement, from time to time, since the commencement of hostilities, and the bringing of American prisoners into this country, down to the first of December,

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respecting

respecting the custody and treatment of the said prisoners laid before this House.

This, my Lords, was my motion. It was a general motion. Its object was information, and its expressed intention to have all, and not some only of the orders that had been given respecting the American prisoners, laid before this House; but, my Lords, instead of this, what has been done. The papers on your Lordships' table are made to commence but from the passing of the act for suspending the *habeas corpus*; they are dated in May 1777, and are brought down to the November following, a space of no more than between six and seven months; they contain extracts of letters, and reports concerning the prisoners in Mill and Forton prisons only; as if, my Lords, American prisoners had been confined in no other prisons but these; as if no orders had been given concerning American prisoners before May 1777; and as if no prisoners had been brought into this country before the passing of that horrid and unconstitutional act.

This, my Lords, being the case, and because it is by such deceptions that Parliament is made accountable for those national misfortunes, which ought to fall on the heads of ministers, I must again beg leave to trouble your Lordship upon this subject, and to call for your very serious attention to a fact or two of the most important nature.

My Lords, to the general information which I wished to receive concerning the American prisoners, there were two cases that came more particularly under my eye. The first case, my Lords, was that of Colonel Ethan Allen, and those other Americans that were made prisoners with him: it seems, my Lords, this Colonel Ethan Allen, and several others, were taken prisoners in Canada, some time in the month of September, 1775. In the October following they were put on board the *Gaspee* armed brig, and sent to this country in irons. On their arrival they were conveyed to Pendennis Castle, where likewise they were confined in irons. From Pendennis Castle they were removed on board the *Solebay* frigate, which carried them to Ireland; and here, my Lords, I cannot omit to give that tribute of praise, so justly due to those persons of Dublin and of Corke, who, upon hearing of the extreme wretchedness of those poor captives, and the rigour of their treatment, humanely entered into such a subscription for their relief, and saved them from torture, from anguish, and from death.

From

From Ireland the prisoners were remanded to America, where, to this very hour, it is said, they remain in captivity.

My Lords, to consider this conduct on the ground of humanity only, it is of a horrid complexion; and the only excuse I can think of for it is, that it is not the effect of English councils; for, my Lords, Englishmen have not been used to do this; but, my Lords, when I consider this conduct as a direct breach of your laws and constitution, what councils are they that have dared to give cause to it?

My Lords, the express words of Magna Charta are "no freeman shall be taken, or imprisoned, or disseised, or outlawed, or banished, or any ways destroyed; nor will we pass upon him, or commit him to prison, unless by legal judgment of his peers, or by the law of the land." And yet, my Lords, all this has been done to these men, in the very face of Magna Charta, and in open defiance of your laws. My Lords, these men were freemen, they were the subjects of the crown of England; for, my Lords, the declaration of independency in America did not take place till thirteen months after this act of ministerial outrage and despotism. My Lords, if this be overlooked, God be thanked, that America is severed from a people so dead to the preservation of their own liberties.

My Lords, the other case I alluded to, although it is very nearly allied to the one I have just stated, does not, I must profess to your Lordships, meet with my belief. Daring and arbitrary as ministers have been, they have not yet ventured to go, I must suppose, quite so far as this accusation reaches; but as it is necessary, if the fact be true, that we know it, so it is as essential, it be false, that it be contradicted; and contradicted too, my Lords, in the most authoritative manner.

My Lords, the case is this: Dr. Franklin, and Mr. Silas Dean, deputies from Congress to the court of Paris, have sent a letter to the English ambassador at that court, charged the ministers of this country with having banished (unheard, untried, unconvicted, without sentence of law) American prisoners to the East Indies, and the yet more inhospitable shores of Africa. My Lords, I have said that I do not believe this fact; but yet, my Lords, it is a fact that I must call upon ministers to disavow. My Lords, I have only to submit to your Lordships the following motion:

That in pursuance of the address to his Majesty, and the order obtained thereupon, in consequence of a former motion

tion for this purpose, the warrants of commitment and discharge, to and from Pendennis castle, of Colonel Ethan Allen, and other American prisoners, with all other orders and instructions given for their custody and treatment, from their arrival in England to their being remanded to America, be laid before this House.

Earl of
Suffolk.

Earl of *Suffolk* said, Allen had been most mercifully treated, for probably if he had been dealt with as he deserved, he would have suffered as a rebel. This affair about Allen, he observed, had been mentioned upon a former occasion in that House in debate. He at that time stated his reasons, which appeared very satisfactory to the House. [See vol. V. p. 183.] Allen was sent out of this kingdom without being brought to trial, lest the American rebels, who had made in Canada several prisoners in the preceding November at 'St. John's, should retaliate. He said, if it was the judgment of the House, that the order moved by the noble Earl before the recess, should be so understood, as to comprehend persons imprisoned before the suspending act took place, he had no objection, for his part, to comply. And as the present motion was but a repetition of the former, he recommended to the noble Earl to withdraw it.

Earl of
Abingdon.

Lord *Abingdon* made a short reply, and consented to withdraw his motion.

Duke of
Bolton.

The order of the day, to consider of the state of the nation. As soon as the committee was formed, the Duke of *Bolton* rose. He acknowledged his own insufficiency to take a part in an enquiry which had been hitherto conducted with so much ability by the noble Duke near him, [Duke of Richmond] and after passing several compliments on the candour and ability of his Grace, who, he said, had conducted himself so much to the satisfaction of their Lordships, throughout the whole of this business, observed, that the most arduous parts of it had been already finished, which was one motive with him to undertake, with more confidence, the part of it which was to furnish the particular enquiry of this day. Nay, indeed, a very small portion of professional knowledge, would give him little more to do than just report to their Lordships, in one uniform point of view, the information on the table, and barely to select and arrange, under a few heads, the most material parts of it. His Grace then proceeded to recapitulate the several leading heads which had come out in proof during the previous part of the enquiry as properly introductory of what he was about to submit to the

their Lordships' consideration. They all equally related to the state of the nation, he said, and as such, must be taken together and connected. Those, he observed, related to the state of our military defence; of our commerce; of our loss in men and money; of our ability to pursue the war; and of our real situation respecting foreign powers, particularly our natural enemies, the several branches of the house of Bourbon. He observed, that our whole military defence, instead of 17,000 amounted to little more than 10,000 effective men; that the actual force in Ireland, which should be 12,000 in times of profound tranquility, now at the eve of an approaching war was short of that number in an equal proportion; that we had suffered by captures nearly 3,000,000 of property; had already lost 20,000 men by the land war alone, and expended 23,000,000 of money; that, in consequence of those captures, our African trade was entirely ruined, because the tract from Africa to the West-India islands, the mart for the produce of the former, had been intirely neglected. On the windward side of Barbadoes, from every part of Africa within the line, all vessels must pass that island. All its vicinities, and the tract alluded to, had been left without a single ship to protect that invaluable branch of our commerce, the consequence of which was, that those seas swarmed with American privateers. Our own coasts were no less shamefully neglected; and what was still, if possible, infinitely more mischievous, a great part of the stores, provisions, powder, ball, ordnance, &c. sent from hence, was not only lost for want of convoys or defence, but they fell into the hands of the Americans, which, above any other circumstance, conduced mostly to all our subsequent disasters, as the colonies were thereby enabled to procure what it was not possible to obtain in sufficient quantities, in any other manner. These, he said, were facts either that came out in proof in that part of the enquiry which the noble Duke near him had already undertaken, or were confessedly notorious in themselves. Before he proceeded any further, he begged leave to obviate the one only plausible objection made to such an enquiry, that it would go to the exposure of our national weakness, and thereby tend to invite an attack from our enemies. After having in a manner recapitulated all the leading facts, which had hitherto come out in proof, in the course of the enquiry, he said, he thought it his duty, before he proceeded farther, as well in order to justify what had been already done in the committee, as to support on the clearest ground

ground of sound policy, sanctioned by parliamentary precedent, to obviate the only semblance of an objection, which had been made to the committee, and the objects it meant to obtain, namely, that resolving matters of fact, would go to the exposure of our national weakness, of betraying it to our foreign enemies and rivals. This, he said, was fallacious and ridiculous. If foreign powers wanted information, they might, for a trifling sum of money, obtain much more important intelligence, than all the information contained in the papers on the table; it was no more, therefore, than mere evasion, not to shield the nation from danger, but ministers from blame, which he should prove, from documents not to be doubted, from their Lordships' journals; and that not on the eve of an expected war, but in the very height of one of the greatest this country ever waged; and accompanied too, with circumstances of a very critical and dangerous nature, both foreign and domestic. His Grace then moved that a resolution reported from a committee, and entered in the journals of the year 1707, and of the year 1741, might be read; by which it appeared, that similar committees had been formed; that they had come to several important resolutions, tending, in the language of the noble Lords in office, to expose our national weakness, and to disclose secrets of a nature not so much as thought of in the present enquiry. The state and condition of the several ships, the number of guns and men, their stations, &c. The journals being accordingly read, in confirmation of what he said, his Grace proceeded.

He then stated his intended resolutions, which he classed under three heads; the state of our fleet serving in America under Lord Howe, the state of the line of battle ships for the home defence, and that of our frigates for home service.

On the first head he observed, that our fleet, by the return on the table, serving under Lord Howe, consisted of 83 ships and vessels of force, of all sizes, including ships of the line and frigates; that their complements, if full, would be 22,000 and a fraction; but out of that number 4300 were lost to death, captivity, or sickness; that consequently the ships must be badly manned and foul, being now nearly two years out of dock, which, if it should become necessary to continue them longer in actual service, the deficiency in men must be made up from hence, and the ships replaced by others, clean and better equipped. He could not help mentioning a very alarming circumstance, which was, that

the deficiency of the number of seamen shipped, nearly one half was occasioned by desertion.

His Grace was short on the preceding head, and then proceeded to the next, the state of the line of battle ships for the home defence; and here he was most able and pointed. He lamented, that he was prevented from giving that information to the committee he wished, by having his two motions negatived; one for the state of the ships in ordinary, before the recess, and a recent one, for the attendance of the surveyor of the navy at their Lordships' bar. The latter would inform their Lordships of the real state of the ships intended for actual service; and the former, in case of a war, would shew our state of preparation. The apology made was, that it would disclose our weakness. This, he believed, was too true: but, in his opinion, that was the very reason why the motion should have been agreed to; because if the fact was acknowledged, it would evince the immediate necessity of his concluding motion, that of addressing his Majesty, to put his navy upon a respectable footing.

His Grace said, as to men of war of the line for home defence, they had been stated at 35 fit for actual service, seven more in commission, and those put into commission since the noble Lord at the head of the Admiralty had informed their Lordships on that head. He had examined the papers on the table, and found that the seventy-fours had been set down at 600 men, as a full war complement. This, he contended, was fallacious; the compliment of a 74 was 700, and not 600 men. He had the first naval authority, he said, in his favour; it was the opinion of the late Lord Anson, and of all the great admirals, since he had any acquaintance with maritime affairs. If, then, what the noble Earl in office acknowledged, on a former occasion, that he was upwards of 6000 men short of this complement, having but 19,000 and a fraction, instead of 21,000 and a fraction, it would appear, that even allowing for the supernumeraries, the deficiency would, on the 35 ships of the line, amount to upwards of 6000 men; so that, instead of having 35 ships of the line fit for actual service, we should not have more than 28 or 29, including the marines on shore, part of which would be wanted to be stationed at our three great dock-yards, Plymouth, Portsmouth and Chatham. If this was the actual force we had to defend ourselves, it would be necessary to know what we had to contend with, in case of a rupture with France.

and Spain. He had good information, that the French had 20 men of war of the line at Brest, eight at Rochfort, and at Toulon; and the Spaniards at Ferrol, Cadiz, and Carthage, forty; the whole amounting to 83 ships of the line from which he drew this inference, that we should, in order to secure a complete national defence, in the event of a rupture, have one hundred ships of the line; and we ought to have, besides that force, a proportionable number of frigates for, since the present noble Lord came to preside at the head of the admiralty, no less than three millions and a half of money had been granted for buildings and repairs, which, in the opinion of some of the first seamen, both in their official and professional capacities, supposing our navy had been entirely annihilated, was sufficient to build 100 ships of the line, and as many frigates of 36 guns each, and to provide for all their necessary equipments, &c. He said, it had been affirmed in that House, and was generally received without doors as true, that if we were equal in number of ships of the line, and in every thing dependent upon that circumstance, victory must declare in our favour. He was most willing to hope so; but when, perhaps, the very existence of this country, as an independent nation, was to depend on the truth or fallacy of such an opinion, he held it an indispensable part of his duty to deliver his sentiments impartially, and without any degree of national prejudice; he was therefore freely to declare his mind, he must say that numbers almost always ensured victory. He should speak of the conflicts in the early part of our naval history, nor even in the reign of Charles the Second, when the scene of action was confined to the narrow seas; when a Van Trump, De Ruyter, a Blake, a Monk, and a Sandwich exhibited such amazing instances of skill in their professional and personal resolution. The mode of making naval war which prevailed at that period, differed much from every subsequent one: they made use of fire-ships, not so much to accelerate victory, as to destroy the human species. Like the cruel mode adopted in America, of employing savages to wantonly destroy their enemies, when the victory no longer depended on the carnage; when a ship was disabled, they sent a fire-ship to distress a disabled antagonist, and to blow up the crew in the air. A very different mode of naval warfare began to prevail at the Revolution, and has continued since to be adhered to; by which means, hostilities at

like those on land, have been conducted more conformably to the dictates of humanity, and the laws of war established and acknowledged by the civilized nations of Europe.

His Grace entered into an investigation of the language of the noble Lords in administration, relative to the presumed invincibility of the British navy, from whose assertions and opinions he begged leave entirely to dissent; and wished, before he sat down, to impress this very important truth on the House; that be the courage of the British seamen ever so great, it was numbers and not skill or prowess that had made victory decide in our favour, unless in a very few instances indeed. His Grace then entered into a long detail of proofs. In the year 1688, Admiral Lord Dartmouth with a superior fleet, permitted the Prince of Orange to pass by the Gunfleet, because he wished well to the cause which that great man came to defend. The next year the fair off Bantry, on the coast of Ireland, shewed, that where the French were more numerous they became victorious. The year after again, off Beachy-head, the same cause produced a like effect; the English fleet was vanquished; they ran for the Thames; and so great was the panic on that occasion, that they made to the river, and pulled up all the buoys, for fear the enemy would have pursued them. At La Hogue again, in 1692, the action in which the naval power of France was first broken, there the English had the superiority in point of number, in the proportion of 100 line battle ships to 70. In 1704 again, the numbers were equal; so was the fate of the day. So it was at Malaga. At later times, in the action off Toulon, in 1743, where he was present, the English fleet was superior, and though we did not gain a complete victory, we gained the day. The French convoyed the Spanish fleet safely into Barcelona, and, notwithstanding our utmost efforts, it was not in our power to prevent them. And here he wished to set the noble Earl at the head of the admiralty right, respecting his assertion, that a fifty-gun ship was not deemed of the line of battle; for he assured his Lordship, that he commanded a ship of that rate off Toulon; that he was ordered into the line the day before the engagement, ordered out of it the next day, and again ordered into the line on the following day. In the engagement between Anson and Warren, and the French fleet, in which we proved victorious, in 1747, we had a superiority of 14 to 8; so we had in the succeeding

engagement, between the present Lord Hawke the next year. In 1759, in the affair with Conflans, the force was pretty nearly equal : but then it did not come to a fair trial of skill, for the French admiral ran without waiting the event. The only instances within the period described, in which the mere skill and prowess of the English navy prevailed, were in two engagements, between Admiral Sir George Pocock and the French, in the East-Indies, when with equal numbers we proved victorious. He begged, however, not to be misunderstood ; he believed the English seamen would do their duty, and, upon any thing near an equality, would conquer, when the fate of the day depended on those circumstances :—but there were many other matters very foreign to those particular circumstances ; the cleanness of the ships, their state and condition, the health of the men, and their number, &c. from which he drew this inference, that when we talked of insuring success, we should procure the only certain means of securing it ; that of a superiority in point of number of ships, fullness of complement, weight of metal, &c. Was that the case at present ? Most certainly not. Our enemies were much more numerous and better manned.

His Grace then enumerated the various services for which our fleets would be wanting, in the case of a war. For the Mediterranean and Channel service, to protect our trade to the westward ; for the protection of the West-India islands, East-Indies, and the coast of Africa. He contended, and called upon the noble Lord at the head of the admiralty to contradict him, if he would pledge himself to the House that 28 or 31, or even almost double the number of ships of the line, considering the force now in the French and Spanish ports, would be sufficient to answer those different services. Supposing with the noble Lord, that instead of the 35 ships of the line for home defence, that we had the 42 spoken of by his Lordship, nay more, that every ship in commission, which, as he understood, amounted to 51, he would desire to know, if in the opinion of the noble Lord, even that force would be sufficient to contend with the united strength of France and Spain ? He was sure the noble Lord would not say so.

As well as condemning the official management of the navy, he highly arraigned the arrangements of the admiralty board ; particularly sending out eight ships of the line under a captain, while there were no less than 51 admirals on the list. This, he said, might be productive of

some fatal consequences. If, as he understood, this fleet was sent to interrupt the commerce between France and America; and if, in consequence of any such interruption, an engagement should ensue, and the eldest captain or commodore fall in the action, the English fleet would probably be destroyed, for there being no regular command established, the next captain, should his senior fall or be wounded, would not know how to give the proper signals, and of course every thing must fall into the utmost confusion. He added further, that besides the impropriety of trusting the command of a Squadron to a captain, while there were so many flag officers unemployed, the want of our frigates was most sensibly felt; for, instead of having frigates stationed in the Bay, in order to pick up the small American privateers, and to interrupt the illicit commerce carried on between our colonies and France, we were obliged, at a great expence, and to very little purpose, to send our seventy-fours on that service, which cost the nation for building, fitting out, &c. between seventy and eighty thousand pounds each; where in the present inclement and boisterous season of the year, their sides were beating to pieces, one half of their crews distempered, and their stores, rigging, &c. going to ruin.

On the last head, respecting the frigates, his Grace was equally strong and pointed. A want of frigates, was, in his opinion, much to be lamented. It was the great source of the calamities we felt, in relation to our commerce, and if a war should break out, would be doubly felt. But it was not even the want of them, however great it might be, but the deception attempted to be put on the House by the papers on the table; those stated them at 34; whereas the truth was, that they amounted in reality to no more than eleven, the rest being sloops, yachts, &c. He observed, if the deception was reprehensible, the purchase of several of them was much more so; they were bought from private persons at a most exorbitant price, upon what motives he would not pretend to determine; one of them in particular, now called the Panther, formerly a cat in the northern trade, was purchased at the enormous sum of 7000*l.* when, according to her tonnage, and real value, she was worth no more than 3500*l.* at the most. So it was in several other instances, which, he said, he forbore to mention.

His Grace adverted to several miscellaneous circumstances, which did not come immediately under any of the foregoing heads. He pointed out the absurdity and bad policy of using foreign

reign timber in buildings and repairs; and if a trial was to be made, censured the conduct of those at the head of naval affairs, who, instead of making an experiment, ordered no less than 20 ships of the line at once to be repaired by foreign timber. He said, that probably there was not one of those ships, if employed in actual service, that would not be found rotten and totally unfit for service, as was the case with the *Mars*, which, after being under repair for three years, 1775, 1776, and 1777, was obliged to be condemned, and ordered to be broke up, though she cost the nation more money than if her keel had been new laid, no less than the sum of upwards of 33,000*l*. He observed, that the noble Lord at the head of the admiralty, when the weakness of our military defence was mentioned, as well as several other noble Lords in administration, said our navy was invincible. His Grace contended, that even superiority would not ensure success, because unforeseen events, or cross accidents, might unexpectedly turn the scale; much less so, when France and Spain had a fleet nearly in the proportion of two to one. He begged, therefore, that the noble Lord would make good his promise to that House, and the public, that our fleet should be always superior to that of France and Spain united, which he had uniformly asserted was necessary; or fairly confess, that no such necessity existed, and that consequently, with an inferior army and inferior fleet, a ruined trade and dismembered empire, we were nevertheless more than a match for the united power of the House of Bourbon.

He concluded with a severe reprehension of Administration, for their conduct towards their generals in America. He supposed the British troops were like the British seamen, they could not perform impossibilities. If they could prevail with equal numbers, it was as much as could be expected from them. General Howe was blamed for not conquering America; he was recalled, because he did not; they said, he was a most able general; with an army of 15,000 men he went to attack as great a general as himself, Mr. Washington; he durst not attempt it, because the latter was strongly intrenched and advantageously posted. So it may be found in case of a war; the British admirals and sailors would do every thing that could be expected from brave and able seamen, but they could not perform impossibilities; with good clean ships, well manned, and equal in numbers, they might come off victorious; but that was all that could be rationally expected; and if one of the ablest seamen in this country,

and one for whom the noble Earl seemed to entertain the highest opinion (though a little man, yet possessing a great soul) were consulted, or interrogated at the bar, he would venture to answer that his reply would be (without making himself responsible for events beyond the power of human policy, and out of the reach of human prediction) that he hoped the British fleet would always conquer. His Grace then moved the first of his proposed resolutions, which was as follows :

“ Resolved, That it is the opinion of this committee, that 83 of his Majesty’s ships of war, exclusive of fire-ships, bomb-vessels, store-ships, and small craft, bought in America, have been employed there since the year 1774; that the complement of the above ships and vessels, marines included, amounted to 22,337 men; out of which there have been lost by desertion, 1969; by captivity, 417; by death, and rendered unserviceable, 1928; and therefore, that the whole loss of seamen and marines belonging to the above ships and vessels amounts to 4314 men.”

The Earl of *Sandwich* directed his reply chiefly to two points; to a detection of some particulars stated by his Grace, and to an eulogium on his own administration. On the first head, his Lordship said, that the number of ships of war under Lord Howe were mis-stated, for that 10 frigates had been sent to America since the last returns now on the table were made; that the line of battle ships in commission were not 42, but 51; one of which being unfit for service, left 50 of the line in commission; that is, 35 completely manned, seven formerly in commission, to man which, we had already 3000 seamen and marines, and nine put in commission, since the papers were moved for. He contended, that 600 men were a full war complement for a seventy-four; and that of course, if affairs should make it necessary, we should be able, in a few days, to make up the deficiency of both classes, those of thirty-five and seven, so as to be able to proceed to sea with 42 ships of the line completely manned and equipped. On the second head, he said, when he came to preside at the admiralty board, our navy was in a most ruinous condition: but that was not all; the point of ever being able to build or repair was despaired of, was given up. The ships built of green timber, in the heat of the late war, had all rotted. In such a state of national distress and despondency, what was to be done? He turned his thoughts seriously to the subject, and devised two expedients. He procured a bill to be passed, to restrict the East-India company to build no more than a certain number of tuns annually, (from 60,000 to 45,000);

45,000); the other was, to purchase foreign timber, and thereby break the monopoly of the timber merchants.

Here his Lordship deviated into a long detail, relative to the East-India company, the iniquity of the ships husbands, &c. When he came to preside at the head of the admiralty, the timber merchants had entered into a combination; in consequence of which they not only raised the price of timber, but compelled the East-India company to take 17,000 loads of timber yearly more than they had any real demand for. He immediately saw the necessity of breaking this combination, between the timber merchants and ships husbands, to enhance the value of timber on one hand, and to rob the East-India company on the other; which was, in fact, to effect the ruin of the nation, and employ the company as the instrument, merely to enrich a few avaricious, unprincipled individuals. To put a stop to so pernicious and iniquitous a procedure, he was the means of carrying a bill for restraining the tonnage of the East-India company, and reducing it from 60,000 tons and upwards, to 45,000, and ordered at the same time 15,000 loads of foreign timber to be purchased by which the combination was soon dissolved; when the timber merchants were deprived of their artificial vent in one instance with the East-India company, and discovered that the navy could be supplied independently of them in the other. By these means, he said, he had preserved the native timber from the ravages of the East-India company, and laid in such a stock of foreign timber, as has enabled us to procure enough of native growth; so that instead of 13,000 load, which was the stock in hands at all the yards, we had now 64,000 load or a stock of three years consumption, in the space of a little more than six months. The advantages of which were, that we could, if occasion required, not only build faster, but build of seasoned timber, not subject to the ravages of the salt water worms, change of climates, &c. which green timber was always known to be. He said, it was ridiculous to affirm, that a foreign timber was bad, the contrary was notorious. If because it had failed in the repair of the Mars, that would be no reason to reprobate the use of it; as well might we reprobate that of native growth, because ships built of native timber rotted, which was the case in respect of the Ardent; yet that single instance, which would be exactly similar to the inference made by the noble Duke, would be no good ground to conclude, that all English timber was bad, or subject to immediate rottenness and decay. He reported several instances of foreign timber proving equal to the best of British growth.

particularly the *Foudroyant*, taken from the French in 1758, and at the end of 20 years had received but one repair, and now was as fine and sound a ship as any in the navy. The same was the case with the *Alarm*, and another frigate, drove into Marseilles in distress, where they received a repair, and still continued in the best condition.

His Lordship confessed that the trade had suffered, but that inconvenience could not be remedied—it was a consequence of the mode of carrying on the war in America: frigates were necessary for that service; and if we could have had more to employ on the several stations alluded to by the noble Duke, most surely our trade would have been better protected. He assured the noble Duke, that he would not have employed large ships as cruizers in the Bay, if he could have helped it; but the alternative was not, Will you or will you not use those vessels? but, Will you use those or none? There was no arguing against necessity; and though there was a want of frigates, for the reasons already assigned, the deficiency was not so great as had been stated by the noble Duke; for notwithstanding there might be no more frigates on the immediate home service, there were no less than 50 employed on other services, besides those stationed in America: but he denied that the want of cruizers had been the occasion of the rapid decline of the African trade. The fact was, that that branch of commerce had been overdone; that the trade was on the decrease for several years before the troubles with America broke out, and must be nearly in its present state if they never had. He said, as soon, and as far as circumstances would admit, cruizers had been stationed in the proper latitude; that Admiral Young, at Barbadoes, had detached from his squadron a ship of considerable force for that purpose; that Admiral Dayrell, lately appointed to succeed him, had instructions of a similar nature; and that if our trade had suffered, either in that, or any other quarter, no blame was imputable to him; it proceeded solely from the cause first assigned, that the frigates were necessarily destined to another service. But taking the facts to be just as his Grace had stated them, he could not deserve censure; he acted ministerially; the measures were deliberated upon elsewhere; and he did his duty, as obeying the orders he received, he was in no means responsible for the events.

Earl Gower said, the delicate situation the noble Earl who spoke last stood in, was a sufficient reason for his not putting a negative on the resolution moved by the noble Duke: for his part, he thought at so critical a period as the present, it

would be extremely improper to expose the state of our navy to our foreign enemies, or point out its insufficiency in any respect. The proposed resolutions were totally unnecessary and if agreed to, though productive of no other ill, might be the occasion of throwing the people into a consternation, and create ill-founded fears and apprehensions. On this ground he should move, that the chairman do leave the chair.

Earl of
Bristol.

Earl of *Bristol*. Though I have for some time been fully prepared for this particular stage of the enquiry—Though it is within these three or four days, I have waited with great impatience to go into every branch of the navy; yet, my Lords, I shall now forbear going into the particular detail as I have proposed. My Lords, the noble Duke [Duke of Richmond] who first agitated this enquiry, and to whose great abilities, activity and labour this nation is so much indebted, has fully convinced me of the state of our forces at home and abroad and of the enormous expence it has already been to this country these three last years to so little purpose. And the noble Duke [Duke of Bolton] who has opened this day's business respecting the navy, has done that in so able a manner, and so much coinciding with my own observations upon it in general, that he has left me nothing to add to what is already upon the table; nor will I, my Lords, by any thing I could say on the different branches which his Grace has not mentioned, let it go abroad, that we are on the eve of a war with France, I have been laying open to our enemies what we ought to conceal: but on the contrary, I will rather say that I hope that the navy of England may yet be put in such a state, as to resist and overcome all our enemies; though my Lords, I should never have agreed with the noble Duke in the address proposed to result from these resolutions, without an amendment, which should have been to have addressed his Majesty to put his navy on the most respectable footing; but that as I had long seen the fate of every resolution in this enquiry, I should expect all to have a negative equally put upon them, and therefore should content myself with doing what I thought I owed my country at this time.

Duke of
Richmond.

Duke of *Richmond* said, though he had concluded his part of the enquiry, as to further detail, with the state of army in America, he could not give a silent vote on the occasion which he heard the deplorable state of the navy so ably and fully proved; and what was still more to be wondered at when the noble Lord himself, who presides at the head of the admiralty, substantially acknowledged the facts, though he endeavoured to palliate and qualify them, or evade the conclusions.

clusions, which they evidently admitted it was the most shameful and reprehensible conduct imaginable, that ministers had adopted, in the course of the enquiry. In the former part of it, when the military force of this island was proved to be very short of the lowest peace establishment, the language from the other side of the House, was, what our internal defence may be, is of very little consequence. It is our navy we are to depend upon in the day of trial; it is our great national bulwark; it is invincible, and superior to any thing our natural enemies can bring against us. "We are able to cope with the whole united force of the house of Bourbon." This, says his Grace, was the current language of the noble Lords in administration: "the more France and Spain know of our navy, the better: a thorough knowledge of its state is the best means of securing us against the designs of our enemies." I recollect when a noble Earl [Lord Chatham] whom I do not now see in his place, seemed to entertain even a doubt of the high-sounding language and boastings of the noble Earl at the head of the Admiralty, his Lordship was almost *hoisted out of the House*. What do we hear this day? That all those doubts were well founded; that all those boastings proceeded from fallacy and misrepresentation. This is not a mere affirmation without proof; the noble Earl in the blue ribbon, who presides in the councils of this country [Earl Gower] has told you so, in so many words. He has put a negative on the resolutions, not because they are not founded on truth, but because they would be an avowal of the naval insufficiency of this country. So, when the nation is proved not to be in a proper state of military defence, you are told, your navy is your sole dependence. When that is enquired into, you are again told, its weakness must not be exposed.

He made several remarks on the noble Earl's speech, and reminded his Lordship [Lord Sandwich] when upon a former occasion, the want of frigates, which he now confessed, was objected to, at the opening of the preceding session, as eighty-seven of them was said to be then in America, his Lordship replied, "that we could, and would have eighty-seven, or ninety more, to replace them." On this ground, as well as the uniform language of the noble Earl, by which he specially pledged himself to that House, his Lordship was answerable for the consequences; and would probably be made amenable at the bar of the public. He concluded, by observing, that if Parliament continued to disgrace itself, by upholding such an administration, it would

Earl of
Sandwich.

necessarily fall into contempt; the certain consequence of which would be, national ruin.

Earl of *Sandwich* said, the number of frigates, if he said they were ninety, which he did not doubt, as the noble Duke seemed to recollect his particular expression so well, what he meant was, including every other service but that which Lord Howe was concerned in; and he was clear that he was justified in saying so; for taking the number in the West-Indies and Europe, they amounted to nearly ninety. Here his Lordship said, he must have recourse to the information, which he so often pressed on their Lordships' memory, relative to the state of the British navy, when he was called to preside at the Admiralty-board. He said, the ships in the heat of the war, being built in a hurry, of green timber, suddenly rotted, and were rendered useless; which, with the scarcity of timber, as he had before observed, rendered vain almost, all hopes of being able to put our navy once more upon a respectable footing. However, having surmounted that obstacle, as had been before observed, he turned his next attention to the guard ships, which instead of being of any use, were become a burden and disgrace to the service. Rotten, useless vessels, not half manned, and half the crews unfit for service, in case of an emergency. He saw all this, and determined to turn this source of national weakness and disgrace into a source of national strength. Instead therefore of wasting the public treasure, to no purpose; he put the guard-ships upon a respectable footing. He ordered them to be always in a condition and state of repair, fit for immediate service; he increased their number to seventeen, and had three-quarters, or nearly three-quarters of their complements of able prime sailors, always aboard, and managed matters so, that with the aid of a few day-pieces, he had it always in his power to send twenty ships of the line to sea at a very short notice. His Lordship adverted to something, which fell from the noble Earl, [Bristol] in a former debate, whose professional abilities, he highly extolled; as importing that he would not trust himself aboard the ship [the *Queen*] destined for him. He could assure the noble Earl, that he need not be afraid to trust himself aboard that ship; for notwithstanding what he might have heard to the contrary, she was completely equipped for sea, and every way ready for immediate service. If however his Lordship still retained any doubt, concerning her condition, he would soon give orders, to have another vessel ready for him, to hoist his flag aboard.

Earl of *Bristol*. I should not have rose again to trouble your Lordships, but that I have been so applied to, and that I think it necessary to say something upon it, late as it is. But, my Lords, as I shall always consider myself as last, so shall I suspend answering that part of the noble Lord's speech [Lord Sandwich] until I have wiped off that imputation which his Lordship unjustly has thrown upon as great and good an officer, as any in the world; and to whom this country is so much obliged: and whom nothing, his Lordship or any other man can say, can stain. I mean Lord Hawke. The noble Lord tells us, when he came to the board of Admiralty; he found the guard-ships all rotten, fitted with rotten stores, and not kept as if intended for service. My Lords, this is such an imputation on that great man's character, as I never will admit of. I had the honour of sitting at that board, at that time, with the present first Lord of it: and I never understood that those were the reasons for changing those guard-ships. Those ships had been thought long enough in commission, and that others would be more proper ships, and might be better fitted as such; but the great reason of all was, that many of the captains, had been their full three years, and that some practices had crept into some of them, which was necessary to be remedied, by paying them off. But this was no more a fault in Lord Hawke, than if such were to happen now in some of the ships; and that the noble Lord now at the board were to change the captains, or the ships. That as to ships of seventy-four guns, which his Lordship says, 600 men is more than a sufficient compliment for, I can by no means acquiesce in that opinion. The last war I had 650 men in the *Dragon*, and which was not the largest class of ships of that rate; and I could have dispensed very well with fifty more. Several captains had now told me, their ships run away with them for want of men, and better men; and that I hoped his Lordship would alter that opinion of his, if a French war should come. That as to what his Lordship had said of the Queen being intended for my reception, and that he hoped with respect to her being manned, and my not going on board a ship so manned, that I would alter my determination; but that I might have any ship in the service, rather than not serve: I was much obliged to the noble Lord, that I should be always ready to serve my king and country (if my health permitted) when I was wanted; it was my only ambition; but that I did, and would ever persist in my determination, not to go aboard any ship so manned; and therefore, to end all altercation on

on that subject, I desired to read as part of my speech, a letter I had received from the commanding officer of his Majesty's ship *Queen*, relative to the draft of men, she had just received from the *Blenheim*, within these three weeks, having been 400 men short of her complement, for near fifteen months before.

[The Earl read a most deplorable account of these men, ending with saying they were the most shameful ever sent to a ship.]*

The Earl of Bristol then continued his speech by saying the noble Lord at the head of the Admiralty, had brought this upon himself, as this was among the many other papers which he had determined not to speak of. And, said the Earl, I abhor the present mode of ministers and their hirelings whispering away the characters of their admirals and generals; and suffering them to be run down, to save themselves, for not being capable of giving proper instructions. I will therefore mention those two brave officers, the *Howes*; better men, nor more disinterested men, never served the King. How are they pulled to pieces, without cause. Had I not experience of the cruel fate of a great, and will say, brave admiral, that of Admiral *Byng*, who was sent out with a fleet so insufficient for the purpose, and who fell a sacrifice to screen an infamous ministry? My Lords I will be no scape-goat for any administration; let me go out with proper ships, properly manned, and I will defy any ministers whatever, and will be answerable for the rest.

The previous question was put, and carried by a majority of 64 to 26.

March 3.

The American conciliatory bills being presented from the Commons, were read; and the Earl of Suffolk moved, that they should be read a second time on the 5th. Adjourned to the 5th.

* This letter was not unlike Steele's account of Lord Hardy's company in the Funeral, or Grief-a-la-mode. Some were lame, others blind, some old, others who never before saw a drop of salt water, landsmen, boys, old men, sick, decrepit and unfit for service; and such as they were, they did not amount to more than half a war complement; the *Queen* being a ninety-gun ship, and the intended crew being little more in number than 400.

March 5.

Earl of *Effingham* moved for several papers, relative to the number, tonnage, &c. of the transports employed by the treasury, since the commencement of the year 1775, and for the attendance of Mr. Brummel, Mr. Atkinson, and Sir Richard Temple, at the bar of the House on Thursday next (the 12th.)

Earl of *Suffolk* said, the papers moved for were of too voluminous a nature, and could not be immediately digested, in a manner fit for the inspection of the House. If the noble Earl would, however, be content to let the motions lie upon the table for a few days, he would, in the mean time, exert himself to furnish the information now desired.

This engagement being accepted of by the noble mover, the affair ended.

Previous to the order of the day being read, the Duke of *Grafton* rose, and said, he must trouble their Lordships with some few words, relative to a matter exceedingly important for the House to be aware of, before they began a debate upon the bills which had passed the other House, and upon which the fate of this country materially depended. He had a question to put to the Lords in office, which it was their duty to reply to without reserve, and which, from the respect he entertained for their Lordships, he should hold himself blameable, were he not at that particular moment to agitate. His Grace then said, a noble kinsman of his [Mr. Charles Fox] had received information, that the court of France, had actually signed a treaty of commerce with the deputies of the American Congress; that his kinsman had communicated that information to no other person but himself, and that it had made so strong an impression on his mind from the channel through which it came, that if the two secretaries of state, and the whole cabinet council, were to declare the contrary, they could not do away that conviction which he felt of its being matter of fact, and really founded in truth. His kinsman, his Grace said, had in the other House of Parliament put the question to the minister of that place, who had given an evasive answer, but the matter was in itself of too important a nature, and at that time too immediately critical, to be passed over in silence. Some explanation was due to their Lordships, previous to their entering into debate upon bills, the effect of which altogether depended on the drift of that explanation; he therefore

fore hoped one or other of the secretaries of state would rise in his place, and give their Lordships that information on the subject, which they in particular, and the public at large, had an undoubted right to be masters of. If the information was true, it was absurd to insult Parliament, with the appearance of reconciliation, that was no longer practicable. If ministers replied in the affirmative, they were culpable in the highest degree, in concealing intelligence of so important a nature from Parliament; and under the cover of that concealment, leading it into measures of futility and public dishonour. If they reply in the negative, their conduct, was still, if possible, more reprehensible, their incapacity more glaring, in being entirely wanting in that species of information, which it was the duty of their stations to procure. His Grace desired the House to recollect, that it was on the 5th of March, he put this question to the King's ministers.

Lord Weymouth.

Lord Weymouth said, the noble Duke had himself assigned a sufficient reason for the silence of every Lord in office, by declaring, that if they and the whole cabinet denied the fact, and that in ever so explicit a manner, he would not be convinced, nor give up his belief of it. Respect, however, to their Lordships, and that duty which he always conceived, he was bound to discharge, by giving them every possible satisfaction respecting all sorts of questions in his power to answer, and fit to be answered, would not suffer him to remain silent; he had indeed heard of the treaty from outdoor report, and he had heard that an honourable gentleman in another place had asked the minister the question, and received a satisfactory answer. With regard to what the Duke had thrown out, the most convincing way of reply would be not to argue upon it, but to come immediately to the point, for which reason he would fully and fairly speak to it; he did therefore, in the plainest and most precise manner, assure their Lordships, *that he knew not of any such treaty having been signed, or entered into, between the court of France and the deputies of the Congress* as had been mentioned by the honourable gentleman in the lower House of Parliament; and in reply to the last sentence delivered by the noble Duke, he hoped their Lordships would not fail to remember, that it was on the 5th of March likewise, that he stood up in his place, and declared he knew nothing of any such treaty, nor had any authentic information of any such treaty, being either in contemplation or existence.

Duke

Duke of *Grafton* rose again and said, the noble Viscount had not explicitly replied to his question ; that the noble Viscount took it up at the time that it was mentioned by his honourable kinsman in the lower House ; that many days had elapsed since, more than sufficient for ministers to have ascertained the fact ; that if they had not got at the truth of a matter so exceedingly important to be known at this particular and pressing crisis, it must appear to all the world that the King of Great-Britain was served by the most shamefully ignorant and uninformed ministry that ever undertook the management of public affairs in this or any other country. His Grace again enforced the idea of its being true that such a treaty had been signed, and urged the King's servants to tell the House all they knew respecting it.

Lord *Weymouth* declared, that the noble Duke, by mentioning his honourable kinsman having put the question in the Lower House, naturally obliged him to recur to that point of time. That he had precisely and plainly stated a fact, *viz.* that he really knew not a word of any such treaty having been signed.

The order of the day for the second reading the American conciliatory bills.

Earl of *Radnor* said, this country was wrong in the outset, and hitherto continued obstinately to persevere in impolicy and injustice ; what the effect of the present bills might be, he did not pretend to determine. We had no right to tax unrepresented America. The idea was no less absurd and unjust, than the event had hitherto proved disgraceful and unprosperous. Englishmen, as they carried their rights with them, on their first migration, so they retained the spirit, resolution, and firmness of Englishmen, in bravely asserting and maintaining those rights. The constitution declared, in so many words, that no Englishman can be taxed but by his own consent. It has been the language of all ages, since the first foundation of the monarchy. The most weak, cruel, despotic, and ambitious monarchs have succeeded to this doctrine, as a first principle, not directly to be controverted, though they have often attempted to evade it. They acknowledged the general rule, and never ventured further than to state exceptions to it. Apply this reasoning to the claims of this country, and see whether they can stand an instant ; certainly not. The mode adopted was ingenious and plausible. The King, by his prerogative, pretends to no such right ; he is no farther concerned than as one of the branches of the legislature in asserting it. By whom are

subjects to be taxed? By Parliament alone. If, then, Parliament is solely vested with the power of levying taxes, who shall deny that power, or refuse to pay those taxes? But here it is clearly perceivable, that a constitutional power is misapplied in the most gross manner, and that too on an idea the most preposterous that ever entered into the mind of man.

America, say the friends of this argument, is represented in England; that is, the name of representation is held out, while no essential quality of representation is preserved. The repeal of the stamp act, however, put an end to this solemn mockery of every appearance of common sense and common justice; virtual representation was given up; and the next year a more rational, though an equally unjust claim, was set up, the curious distinction between internal and external taxation. The supremacy of this country, the monopoly of the trade of America, were to be secured; but by what means? By port-duties, for the purpose of raising a revenue. Here, it is plain, the principle was the same, though the mode was varied. Who could say, if you laid on one duty, and it had been acquiesced in, but you might lay on a hundred, and that to any extent, and on what commodities you pleased? The principle of both was equally erroneous; no alternative remained, but that the colonies should tax themselves, or be slaves. These, he said, were his sentiments from the beginning, as well when he had the honour of a seat in the other House, as now, and he should die in them. He was conscious that they were equally just, expedient, and constitutional. I protest, says he, I have acted throughout uprightly, to the best of my judgment; and I appeal to God for the sincerity of my declarations, to whom I hold myself accountable for my public as well as private conduct.

The English constitution binds no man, farther than by his own consent; and I fairly apply the argument to legislation as well as taxation. His Lordship, from speculative reasoning, adverted to facts; and shewed, in a variety of instances, the cruelty, folly, injustice, and even irreligious conduct of ministers. These several charges he maintained by a retrospect to their several measures. Amongst the most leading of those, were the acts of coercion, passed during the four last years; and, as the epitome of the whole, the infamous bill the Quebec act, by which the bloody and senseless superstitions of the church of Rome were established

so wide an extent of the British empire ; and our protestant colonies, as it were, hemmed in on every side by a people inimical to them on account of religion. This preference given to strangers and Papists, who, by the act alluded to, were rendered rivals to them, though no other provocation had been given, was sufficient, in his opinion, to alienate the affections of the colonies from the parent state ; but it was no more than a leading feature in that system of despotism, introduced into our councils since the commencement of the present reign. A system designed to procure submission in every instance in which executive government was concerned. A submission in religious, as well as civil matters, and all made subservient to the will of the governors, not the happiness, prosperity, or confidence of the governed. Absolute supremacy, and absolute submission, were the great objects of the reigning politics for some years past ; but, thank God ! that system, however seemingly permanent, was at the eve of a sudden dissolution. Its fate was on the point of being determined ! and while he was up, he could not avoid congratulating their Lordships and his country, that in the midst of their distress and calamity, they had that consolation to reflect, that the resistance of America would be the great means of prolonging those national liberties which, in point of constitutional effect, though not of form, had been nearly extinguished, and must in the end have been overthrown, but for the exalted virtues and heroic spirit of their brethren on the other side of the Atlantic. He did not rise to make a personal attack upon ministers. He lamented the cause of his rising in some particulars as much as any noble Lord present. Ministers, he presumed, may have been deluded or misled themselves. He reproached none. If some had acted from motives of pride or false ambition, he did not accuse nor insult them in their ideal schemes of folly ; they were sufficiently humbled ; pride had had a fall. If any had conceived high expectations of conquest, it was needless to remind them that they had ingloriously failed. And if revenge was the great motive of their conduct, even the very persons whom they had endeavoured to exterminate or lead in chains, must pity them in their present humiliating mortified state, suing for pardon at the foot of a triumphant enemy ; if it was not rather just punishment for having suffered so black a passion to be one of the leading motives of their conduct. On the whole, he thought, that the concessions now made, consider-

ing the inglorious circumstances which accompanied them, would terminate as ineffectually towards procuring reconciliation, as they were every way disgraceful.

Duke of
Richmond.

Duke of *Richmond* called upon some of the King's servants to explain to the House the reasons of their silence, and why they had abandoned all their former high-sounding terms of the supremacy of Parliament, and unconditional submission, and now came to sue to America for peace. Such a silence, he observed, was unprecedented in the annals of Parliament.

Earl of
Suffolk.

Earl of *Suffolk* replied, that he did not hear any thing specially urged against the bills; when he did, it would be time enough for him to combat the objection.

Duke of
Richmond.

Duke of *Richmond* rose again, he said, to deprive the noble Earl of the benefit of this apology. He had little more expectations of peace being effected by the present bills, than from any of the preceding measures adopted by ministers. He was convinced, that nothing solid was intended; that the bills were framed with a design to divide America on one side, and to keep up appearances with those who supported the measures of government here at home. He did not assert this on any vague, speculative imagination, that ministers, though they had changed their measures, still retained their former sentiments; he reasoned from the bills themselves. The preamble of the commissioners bill was the strongest evidence of the truth of what he asserted. He said, that all the troubles had originated in misrepresentation—of what? Of the very doctrines contained in the bill itself, which maintained the supremacy of this country in its fullest extent. He said, though there existed no other objection to the measure, the vesting in the crown the appointment of the commissioners was sufficient to defeat the whole scheme, allowing government to be perfectly sincere. It was ridiculous, in this instance, to separate the crown from ministers; they were synonymous terms. Who then were to be the real negotiators, or the instructors of those who would be appointed to negotiate? Most assuredly those very ministers who had been the persecutors and oppressors of America! Was it probable, then, that the Americans would treat, or hold any communication with commissioners thus instructed? If any man could believe it, he pitied his credulity. Can the Americans expect justice or good faith from the very persons who had heaped upon them the most unheard-of cruelties, and unprecedented oppressions; who

had acted with a perfidy unparalleled, and with an insolence not to be endured.

The Duke read the declaration of American Independence by the Congress; and after commenting on it paragraph by paragraph, appealed to ministers, whether they meant to concede the several points therein set forth, or subscribe to the general assertions therein contained? This declaration asserted, that the King was a tyrant; complained that troops had been sent and quartered among them without their consent; that the admiralty courts were a grievance; that acts suspending those of their respective assemblies had been passed in the British Parliament; that the King having acted tyrannically, they had justly withdrawn themselves from his allegiance; that the judges enjoying their offices during pleasure, were thereby rendered dependent on the crown, &c. In short, his Grace, at the end of every sentence, put the question to ministers, whether in any, all, or which instance, they would instruct their commissioners to assent, acknowledge, or ratify, on the Part of the King and Parliament, those several assertions and claims.

After condemning that part of the declaration, which branded the King as a tyrant, for whose virtues, he said, he entertained the highest opinion, his Grace proceeded to shew the reasons why so indecent and disrespectful a language was adopted by the Congress. This was no other but the very improper and unconstitutional use which had been made of the King's name from the beginning, and previous to the present unhappy contest. He affirmed this was evident, in almost every single measure which ministers thought fit to adopt. Out of a great number, he should select two, and submit to their Lordships, whether the charge was well founded. The first was in the circular letter, written by the noble Lord at the head of the American department, dated Whitehall, 13th of May, 1769 [Lord Hillsborough] in which that noble Lord, in behalf of himself and the other members of the cabinet, promised not in the name of the Parliament, but in that of the King: "His Majesty's present administration—his Majesty's present servants—his Majesty relies upon your prudence and fidelity—it is his Majesty's intention, &c. that no further taxes for the purpose of raising a revenue shall be laid on the colonies." Here, says his Grace, the King's word was specially pledged for what he could not constitutionally perform. It was not competent to the King to lay on, or remit any tax; when
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therefore the promise came to be performed, the colonies looked to their Sovereign for the performance of it; but ministers having shifted, by so doing rendered themselves further irresponsible; and this may account in some measure for the very improper and unbecoming language which pervades the whole performance I have been reading. Again, in consequence of the same circular letter, in which is contained this remarkable expression, to the several governors, "The King trusts to a full and explicit explanation of his sentiments;" what did Lord Botetourt tell the council and house of assembly of the colony of Virginia, in support of the promises contained in the said letter? Nothing less than "That his Majesty would rather forfeit his crown, than keep it by deceit."

After asserting, that his Majesty had lost the affection of his American subjects, by the insolent, daring, perfidious, and unconstitutional language of ministers, he said he would state a remarkable, and unexampled instance of the temerity of one of them. He said, the journals of the House would be the most undoubted documents in proof of what he was about to state. It was on the 18th of May, 1770, when the very same administration as that which now directed the affairs of this country were in power, that he moved several resolutions, expressing a censure of the same noble Lord [Lord Hillsborough] and that on the very specific ground, chiefly, which he had now stated. What was the conduct of the noble Lord? Very different indeed from that of the noble Earl at the head of the admiralty [Lord Sandwich] on a recent occasion. He did not desire, as that noble Earl did, the friendly aid of his noble friend [Lord Gower] to do what his own delicacy would not permit him, that of moving the previous question, to get rid of the resolutions. No, the noble Earl then at the head of the American department, had the modesty himself to move an adjournment.

His Grace said, as to the whole measure, he feared it would miscarry, for the reasons already assigned. This being his opinion, if his advice was taken, he would recommend to withdraw the troops. America still retained an affection for this country. He had great reason to believe, that it would be the interest of the colonies to give us a preference in point of commerce. Such a commercial intercourse would be no less advantageous to them than to us. The experience of the last two or three years shewed, they could not do without British commodities; they had them, though through new chan-

channels; and one of the most intelligent merchants in the city [Mr. Glover] assured him, that whether friends or enemies, they could not supply themselves with several of the commodities they wanted, so well elsewhere. It was certainly the interest of both countries to live on terms of amity. If his advice were taken, sooner than hazard a farther continuance of the war, he would recommend to declare America independent, because he feared we must consent to it at last; however, if it was the sense of the House, that the experiment of treaty should be tried, he had no objection. If, on the other hand, America should prove implacable for the cruelties she had suffered, and the injuries she had sustained, and that she should make a commercial treaty with France in preference to England, even in that case, he would much rather withdraw the troops, and leave that country to act according to its own pleasure, than continue the war, in order to recover what we had lost by our own imprudence and pernicious counsels.

Earl of *Hillsborough* said, that the noble Duke had made a personal attack upon him, by no means well founded. He never used the King's name in an improper, unconstitutional manner; he appealed in particular to the letter now mentioned, and begged it might be read. It was read by the clerk. He complained how cruelly and unjustly he had been attacked; and appealed to their Lordships, whether there was a single passage in that letter, which could justify the imputation thrown upon him by the noble Duke, of his mentioning the measures proposed by the King's servants, as solely the King's measures, or personally ascribable to him. He never wished, he said, to shelter his opinions or conduct, as a minister, behind the name of a King. Those who acted with him knew the contrary. If any doubt remained, relative to the fair interpretation of that letter, its true comment must be the King's speech, which accompanied it, and was inclosed in it. In that his Majesty's sentiments, relative to the affairs of America, were laid open; and it could hardly be supposed, that ministers would, or that governors dare pledge themselves, for any measure contradictory to that speech.

His Lordship then turned his attention immediately to the question. He affirmed, he never entertained a second opinion respecting America. He always thought, and should ever think, that the supreme power of the empire was vested in the legislature of this country; and if a difference of opinion, upon the principle of those bills, should cause a division,

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sion, he should give one more proof that he had not deserted his principles. He said, nothing but necessity could justify the present bills, and that too of such a nature, as caused a necessity of concealing it. [Supposed to mean the treaty recently signed by France and America.] He had every reason to think that administration had not deserted their principles though they had changed their measures; and that while they proposed the present, they proposed them with shame. They blushed when they found themselves compelled, as it were to adopt them, and that from reasons which, perhaps, could not be properly or safely declared. He blushed himself, namely, he felt for the honour of his much-injured country which had, on the present occasion, felt this the most disgraceful day she ever experienced. On the whole, however such as the bills were, he should not oppose them, unless the mere question of principle should come into discussion, and bring on a division; because, be our misfortunes what they may, which he chiefly attributed to a want of alacrity, firmness, and decision of the ministers, he would rather confide in the present ministers than any other.

Duke of
Richmond.

Duke of *Richmond* contended, that the first passage in the circular letter personally referred to the King, as an individual distinguished from his servants; and when the intention of the King's ministers, of not meaning to lay further taxes for the purpose of raising a revenue, and to repeal the port duties upon commercial principles follow, the King's servants are therein described as only acting by the order, and under the influence of their Sovereign; but if any doubt remained of the true import and political construction of the speech adverted to by the noble Lord and the letter, the private instructions which accompanied both might be easily guessed by that passage in Lord Botetourt's speech to the council and house of burgesses of the province of Virginia, where his Lordship, as the representative of his royal master, told them, "that his Majesty would rather forfeit his crown, than keep it by deceit." It was therefore the delusion and deception of ministers, which the Congress in their declaration of independence, mistakenly imputed to the King. It was upon this ground that his Majesty was first dethroned from the dominion he held over their hearts and affections. This was the circumstance on which, he presumed, more than any other, the people of America withdrew their allegiance. If ministers had acted cruelly, if Parliament had acted oppressively, the right of the crown could never have come into contro-

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verly. The farthest they ever pretended to go, was to say, "we shall readily submit to be governed by the same King, but we will be bound by no laws which we do not consent to, no government we cannot controul." They took the matter up upon principles of genuine Whiggism, as distinguished from Toryism. The Tories of 1688 said, the King had abdicated; the Whigs, that he had deserted his crown, and thereby left the people at liberty to establish what form of government they pleased. So, in the present instance, as soon as the King made war upon the whole body of his subjects in America, they began to reason like the Whigs of England. They said, though unjustly, that he was a tyrant; that he had deserted the government, and forfeited his dominion over them as sovereign, and that of course they were at liberty to institute another in its stead.

Earl of *Suffolk* answered the point of inconsistency, charged on him and the rest of the King's servants by the noble Duke, *Suffolk*. in relation to the present bills. He said, it was a new doctrine in politics, which was supposed to bind a man to the same conduct in all possible situations. He always understood that ministers, indeed all men, suited and shaped their conduct to circumstances, events and exigences. Were it otherwise, no person whatever would be a free agent; he would, indeed, possess the powers of discrimination and judgment to no purpose, if he was forbid the exercise of them, and only permitted to retain the liberty of acting wrong. The noble Duke's general argument certainly went to this, or it meant nothing. He was free to acknowledge that he once entertained a very different opinion from the measures now offered to their Lordships' consideration. He thought, as we had a right, so we should have exercised the right of every species of governmental controul over America. He thought, in maintenance of that right, we were justified in compelling the colonies to acknowledge it. He had every reason to think, that as we had the means of compulsion, the issue of the dispute would have been correspondent to those means. He was convinced now, that it was every way more wise to depart from this plan, in some instances, and concede, than persist in it; yet in all this he could perceive no contradiction; circumstances had materially changed, and so had his opinion: but as to those he first acted upon, he still thought them right; and was willing to believe the measures adopted in consequence of them must have succeeded, had it not been from some un-

toward accidents and circumstances that could neither be foreseen, prevented, nor provided against.

Much had been said, and it had been strongly relied upon in debate, that America would spurn the offers held out in those bills. For his part, he was of a very different opinion. He had the most undoubted and authentic information, that the Americans were in the greatest distress, and would therefore embrace any reasonable propositions of peace and civility. But supposing the worst, that the colonies should refuse to treat, he could assure their Lordships, that this nation had still great and powerful resources in men and money, and he trusted, a spirit equal to the maintaining of their rights, and the asserting of their honour against every power of every kind, who dared to withhold one, or insult the other. He so far agreed with the noble Duke, that the concessions in the bills were not intended to go so far as to concede the dependency of the colonies on Great Britain; for if the former persisted in their claim of independency, he could assure his Grace, it would never be admitted.

Earl Temple.
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Earl Temple said, he came down to express his highest indignation and contempt of the measure contained in the present bills; especially the commissioners' act, which, he said, was a pretended copy of that, for empowering the Crown in the reign of Queen Anne, to appoint commissioners to treat, relative to an union between both kingdoms (England and Scotland.) But what was the tenor and spirit of the act now on the table? Why, the powers of the commissioners were defined; the terms were proclaimed; the point in issue was given up; taxation expressly, and supremacy by implication; and upon what grounds? Before we know that the other party would even so much as treat, you tell America your terms; you give them up for much certain; you encourage them to look for more. Will they not at least hold you to your promise? Are they not at liberty to insist for as much as they please? And even if the fate of war should, after a long and ruinous contest, declare in our favour, are not you, as a matter of right, bound to your first engagement? What was just, fair, and equitable, can never change its nature; so that by disclosing your plan, you leave America to demand any thing she may think proper, and bid yourselves, should the colonies refuse, to fight, not for your rights, which are already given up in this bill, but for what ever America may chuse to ask. His Lordship contended, no similar instance existed in the history of negotiation.

The bills carried with them certain ruin to this country; or were merely meant to deceive the other. On the other hand, the commissioners were armed with full powers to treat, without disclosing the real intentions of Parliament, offers might be indifferently made, and each party having agreed on certain fundamental points, might then, after consulting their principals, be armed with new and sufficient powers to bring the treaty to a fair and full conclusion. He was against the bill in point of principle; but even if he were not, this mode adopted, of informing those with whom you were to treat, with the great outlines of your plan, was a sufficient reason with him for giving the bill his most hearty negative. Whatever the real disposition of the House might be, he could not tell; but whether or not a division should take place, he took this opportunity of acquainting their Lordships, that he had called upon a noble friend of his that morning, who, at the last act of his political life, learning he was coming down, gave him his proxy, and desired he might give it against the bill. The noble Lord to whom he alluded, he said, was Lord Milton.

His Lordship said, he believed America had aimed at independency from the beginning. It was not an idea taken upon a light and indigested opinion; he had from the commencement of our differences entertained it. He was assured by an honourable relation of his, now deceased [the late Mr. Grenville] and he knew it to be so, that he applied to the people of America through the channel of their friends in the city, to assist in what manner might prove agreeable to them, towards relieving this country from a proportionate share of the burdens, according to their means which had been necessarily incurred in defending them in the course of the late war, previous to his proposing the stamp act: but after several communications and letters on the subject between the persons concerned, the colonies absolutely refused to contribute, in any manner, a single shilling. He had another strong reason to confirm him in the same way of thinking, that was, the pointed observations contained in the letters attributed to Monsieur Montcalm, which indeed bore the stamp of prediction, more than hypothetical reasoning. He observed, that the authenticity of those letters had been often disputed; but he could affirm, that he saw them in manuscript, among the papers of a minister now deceased, long before they made their appearance in print, and at a time when American independency was in the contemplation of a very

few persons indeed. His Lordship, after imputing to administration every mischief and evil, which folly, ignorance, temerity, and poltroonery, were capable of effecting, charged them directly, in the present instance, with downright imposition. He asked them, what possible good could result from the present bills, if what was generally, nay universally, believed without doors was true? He should not have mentioned it, but that as Parliament had been all along led blindfolded, and that what he was about to advert to might have escaped, or not fallen under some of their Lordships' observation, or perhaps been discredited, and not coming properly authenticated. He meant the famous manifesto issued by the American agents in France in December, 1776, in which they specially declare themselves independent of Great-Britain, renounce all future connexion with us, and inform the several sovereign powers in Europe particularly those of France, Spain, Germany and Prussia that they intended to send ambassadors, as free and independent states, and hold out to them, as an encouragement those general advantages which may be derived from a commerce to be carried on with a mercantile and trading people and the reciprocal interests arising from such an intercourse. He asked the ministers, if they knew any thing of this public declaration and invitation? And no answer being returned he observed, that he was convinced ministers were better acquainted with the Book of Numbers, than the Book of Wisdom. His Lordship, after condemning ministers for raising the spirit of the nation, relative to the new levies, and letting it down by this disgraceful measure, which, he said, went throwing this country, its Parliament, and the people at large, at the feet of the congress' deputies, Messrs. Franklin and Deane, represented ministers, as in the act of doing homage to those personages in sack-cloth and ashes. The present bills, says he, are so disgraceful in every point in which they are to be viewed, that *venit summa dies* may now be unhappily applied to the glory of this country. The late Lord Granville predicted that such a day would come: but nothing short of the most rooted folly, and the most abject cowardice in ministers, could have accelerated it so rapidly, or brought it so near. With regard to the right of Great-Britain to exact a revenue from America, I never entertained a doubt of it, nor that the colonies secretly looked forward to independence. The letters I have already alluded to prove it is ridiculous therefore to argue, that America had no

view, till compelled to it by the rigour of this country. On the whole, his Lordship predicted, that the present bills, if passed, would prove ineffectual. The commissioners who should act under them would be treated with contempt; and the national character would be additionally disgraced. While he reprobated the pusillanimity and obstinacy of administration, he lamented, he said, the fallen condition of this country; reduced, in their hands, to make a public offer of terms, without knowing whether those terms would be accepted; men who had shewn to the whole world they were incapable of conducting a war; and were now preparing to give another proof of their incapacity, by shewing they do not know how to make peace.

Bishop of *Peterborough*. After assuring the House, that he had determined, while measures of coercion were pursued, not to trouble their Lordships again with the vain repetition of his objections; he added, but solicitous as I have ever been for reconciliation, upon the best terms, which from time to time could be had with America; I cannot but congratulate your Lordships on this concurrence of our sentiments, that peace with our colonies is acknowledged to be according to the expression of a noble Lord [Lord Suffolk] in office, highly proper, at least, if not, as another noble Earl, [Lord Hillsborough] a friend to administration, declares, absolutely necessary.

It nevertheless appears to me, there is but too much reason to apprehend, that the wisdom which our experience has purchased at the price of so much blood & treasure, may still prove abortive, from the vain imagination, that America, circumstanced as she is now, will be induced to treat at all, while the sword is drawn against her, & while the terms of reunion, are, after the commissioners shall have approved them, to be still left subject to the controul of parliament.

It was this claim of parliament to judge of the sufficiency of the contributions, which principally caused the former propositions to be rejected; and while the least uncertainty remains, whether the concessions mutually agreed upon, will finally be satisfactory & conclusive; I cannot see how it is reasonable to expect, that there can be, on the part of America, that degree of confidence, which is the only foundation of peace.

I submit these doubts to your Lordships' consideration, on a supposition, that America is not yet formally connected with France: should that be the case, as a noble Duke [Duke of

of Grafton] has assured us it is; all deliberation on these propositions, is, I fear, vain and nugatory: the circumstances of our situation call your attention to matters of more immediate concern; now is the question, whether we are to give up all hopes of regaining America by the sword, but how we are to get our troops back again in safety.

But, if haply, America is still at liberty to treat with us, the only way of doing it effectually is to acquire her confidence, by giving her first every testimony of our own. Is it possible to expect she will consent to such a peace, as we may think honourable, unless she is first convinced, we no longer mean hostilities?

The propositions, worded as they are, mean to imply acknowledgment of Great-Britain's supremacy. A noble Earl has said, that the Americans do virtually renounce their independence, if they consent at all to treat with the commissioners. I cannot, therefore, but observe, that these propositions do at the same time admit, that independence is not (as it has been often asserted to be) the general and main object of America.

I am indeed persuaded, that it was not so from the beginning; and I do firmly believe, that there is still among those descendants of Englishmen, attachment enough still left to the stock from whence they sprung, not only to make them wish for reunion, but dispose them likewise to consult the honour and dignity of their mother country, if haply they were convinced, that she neither means to deceive them at present, or oppress them for the future.

Marquis of
Carmarthen.

Lord Osborn [Marquis of Carmarthen] said, soon after he was honoured with a seat in the other House, where a dutiful petition being presented by a respectable colony, it was rejected, with, what appeared to him, a degree of passion and asperity very unbecoming the dignity and wisdom of so respectable an assembly.

[It was a petition from the province of New-York, for the repeal of the tea duty.]

He said he thought the present bills well suited to produce the effects expected from them. Every material objection to the claims of this country were removed. Taxation was relinquished farther than it depended on the duty and generosity of the Americans themselves. On the other hand, the supremacy of this country was asserted, and would, if accommodation took place, be preserved. The only colour of an objection to the bills was, what had been stated by the noble Duke

Duke in the blue ribbon [Grafton] early in the day, that a treaty of some kind of commerce or alliance, or both, had been entered into by the Congress delegates and the French court; but even though this report should prove true, he did not yet despair but America would quit her former engagements, and return to her native country.

Earl of *Doncaster* [Duke of Buccleugh] spoke a few words against the bills. Duke of Buccleugh.

Lord *Wycombe* [Earl of Shelburne] referred, in a complimentary stile, to the upright noble Duke who spoke before him, respecting the part he took about the peerage of the northern part of this kingdom. He said, though the noble Duke's attempt to rescue the Scotch peerage from the yoke of ministerial despotism, under which still it groans, had hitherto failed of success, he had every reason to expect that the steady and truly patriotic endeavours of his Grace would one day prevail so far, as to cover the insolent authors of this unconstitutional system with shame and disgrace. His Lordship then proceeded, to consider the bills in two points of view, in both of which, he said, they were defective, and proceeded upon wrong principles. The first was, the implied, though not the avowed motives for adopting the present measure, as leaving no other alternative for us to embrace but approving them, or suffering America to render herself independent; the other, the means proposed of preventing the latter part of the alternative from taking effect. Earl of Shelburne.

On the first of those, he said, he would never consent that America should be independent. The idea he ever entertained of the connection between both countries was, that they should have one friend, one enemy, one purse, and one sword; and that Great-Britain should superintend the interests of the whole, as the great controuling power. That both countries should have but one will, though the means of expressing this will might be different, distinct, and varied. He contended, all this might have been procured not long since; and he still retained strong hopes that it could be effected, and that too without measures of blood. It was once optional, and still possible; and he would never adopt any scheme which would go to dissever our colonies from us; for as soon as that event should take place, then, added his Lordship emphatically, *the sun of Great-Britain was set, and we should no longer be a powerful or respectable people, the moment that the independency of America was agreed to by our government!* These terms, he asserted, the Congress would have agreed to a very

a very short time since, and he had hopes they might still be obtained. He reprobated treaties of commerce, as the most ridiculous things in the world; shewing, by a great variety of historical precedents, that those which had at the time of making them been deemed the wisest, had always failed, and turned out to no effect whatever: there was a little difference, he declared, between treaties of commerce and laws of trade. The latter were stable, and always worth attending to. He advised ministers eternally to hold this distinction in their minds, and never to give up the navigation act. Upon the subject of treaties, he instanced the famous one made with Portugal in the year 1703, and negotiated by Mr. Methuen, our then ambassador at that court; said it was hardly ratified, when it began to be broke or evaded; till at length it dwindled to almost nothing: he had taken great pains while in office himself to enforce it; but he found it was impracticable; or, if practicable, it would not be worth the trouble. Trade and commerce between independent states of different interests, would not be restrained; they would of course fall into their natural channels, in spite of every attempt to give them a different or artificial direction. Trade laws were of quite a different nature; they were solemn compacts, in which the interests of the contracting parties, were reciprocal, and founded on the same basis. Such were the connections between all states and their colonies: and such were the obligations of interest and good faith, for a faithful performance of such compacts. Among the first of these, and the foundation of all the rest, he ranked the trade laws passed in the reign of Charles the Second, which united the commercial interests of the whole British Empire. That could never be, in his opinion, equitably, nay, wisely broken. It was judiciously framed for the advantage of the seat of empire, and its several dependencies; and, if ever dissolved, would, in all probability, terminate in the ruin of the parties concerned. After his Lordship had very fully explained his sentiments, on this part of his subject, even should we be so unlucky as not to succeed in regaining the confidence of America, let it be remembered that one time when the throne of England was vacant, and the executive power was in the hands of an usurper, at a time too when Scotland was divided from England, this country was in so flourishing a state, that every European power courted her friendship and alliance, and there were six or seven hundred thousand pounds in the treasury. Ireland was

was also equally flourishing. Henry, the usurper's son was implicitly obeyed there, every part of the government of that kingdom had its proper effect, and the treasury there also had several hundred thousand pounds in it. The cause of this was the good sense, the judgment, and the vigour of mind which Oliver Cromwell possessed. Government was in his time conducted upon principles of justice, and not on principles of corruption. At that glorious period, Denmark was happy to stand on terms of amity with this country. Sweden sued for an alliance with her. Holland courted her friendship, and dreaded her power. Portugal sought her alliance and protection; and Spain and France alternately contended which of them should stand highest in her favour.

His Lordship expressed the strongest sentiments of disapprobation of every idea that tended to admit the independency of America, though allusions to such an admission had been dropped in the House, even from persons in office. He did not mean, that he never would agree to a connection with the colonies as independent states: circumstances might create a necessity for such a submission, though they could not justify the folly or treachery of an administration, which should reduce him and the nation to so abject a situation: but he asserted, that when the day came, on which American independance should be acknowledged by that House, he trusted, that House would, with one voice, call for justice on those who should be the occasion of so fatal a necessity.

His Lordship ridiculed the hope of gaining any thing from America by commercial alliances. Such alliances were found by experience to be binding no longer than mutual interest connected the parties. The treaty, therefore, said to be signed with France, had nothing in it to alarm us, unless the acknowledgment of independency; but if the war was instantly put an end to, and the confidence of the people a little restored to us, much might be hoped from the inclinations of people, having the same religion, the same language, the same relations, and interwoven interests with us. Besides, there were many cool, dispassionate, and able men in the Congress; who, when they came to judge and looked forward to consequences, it was extremely probable, that independent of their attachment to the parent state, and those other strong motives of affection, they would plainly perceive, that a connection with this country would be the best means of advancing the interest of their own. But if every honest, every virtuous means, which could now be suggested, for re-

storing them to our empire, should finally prove abortive. We had in the late annals of our own history, a lesson to be hoped [alluding to Lord Chatham's administration] which should console us for the calamities which we now feel or apprehend, and will shew us, that under a brave administration we may yet exist as an empire, nay, even flourish as we formerly did, without a connection with America. The strength of the nation is powerful beyond conception, whilst the people have a confidence in the wisdom and valour of their rulers.

His Lordship said, that peace at any rate was preferable to war; and so far as those bills went towards that object, he would give them his assent: two of them, viz. that for renouncing the taxation, and that for repealing the Massachusetts's charter-act, he was ready to support; but he would give his negative to the bill for appointing commissioners, as he thought it would be inefficacious; for the Congress, seeing the deception intended by it, in authorising the commissioners to treat with separate bodies of the people, and that its object was to divide them, would never suffer them to advance from the lines of their camp; and the apprehension of their term being afterwards receded from by parliament at the instance of a weak and deceitful administration would prevent every possible good.

In this part of his argument, his Lordship stated the obstacles America had to contend with, in case she should insist upon independence, and take measures accordingly; provided we employed the means properly, which was yet in our power. He said, to the southward we had the Floridas; to the northward Nova Scotia, Canada, Newfoundland, and Cape Breton. In point of conquest, we were in possession of New York, Rhode-Island, Staten-Island, Long-Island, besides the city of Philadelphia and its environs. He confessed, all this did not hold out any prospect of conquest; but perhaps held out objects of a more substantial nature. We might command the navigation of the rivers St. Laurence and Mississippi, and the communication of the Lakes. In such an event then as America proving refractory to all reasonable terms of conciliation, the command of their coasts by superior fleets, and the occupying such parts in the interior country, as would best answer the keeping them in awe and alarm, and maintaining such posts, and opening such necessary communications as might be most conducive to our views, whether those of coercion or conquest; in all probability the colonies would soon find themselves compelled to break their foreign

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engagements, and seek our protection upon fair, constitutional, and secure grounds. To effect this, there ought to be at least a well-found and complete army in Canada, of 12,000. Halifax ought to be strongly garrisoned, and sufficient defences made to it as a place of arms. The troops ought to be recalled from Philadelphia, if they had not already made a similar exit from it to that they made from Boston, where their stay can otherwise terminate only in starvation [alluding to Mr. Dundas's expression] captivity or defeat. After pointing out what ought to be pursued, should America prove averse to reconciliation, he contrasted the cruel, absurd, and ridiculous conduct of ministers. He said he would not, nor could, attribute such operations to the good sense and humanity of British seamen, or British soldiers. He presumed they had their instructions from hence. Marching, countermarching, embarkations, debarkations, fruitless expeditions, defeats, depredations coast wise, burning of towns and villages, employing foreign mercenaries, savages, scalping, tomohawking, &c. He said the war was conducted systematically wrong from the outset; that instead of making war in front, by which means you left the enemy at liberty to meet you when they thought proper, or retire into the interior country, you should have secured posts in their rear; forced them towards the sea, and by that means have compelled them from time to time to decisive engagements.

His Lordship then considered the bills in point of effect: he said, they clearly portended nothing but a continuation of the war, upon the same destructive plan, the effusion of more blood, and the waste of more treasure. He thought them every way insincere, and insidious, and only intended to divide, not to conciliate the colonies. Every plan of conciliation, in such hands, must fail. The claims supported by ministers were by this bill varied but in name. The preamble to the commissioners bill, the mode of appointing and instructing the commissioners, and reserving both, and intrusting the treaty to the very men who had been the authors of all our misfortunes, were so many proofs that though ministerial language had changed, the system had not.—His Lordship then condemned the shameful subserviency of Parliament in their whole conduct, which the noble Earl in high office was pleased to distinguish under the name of consistency! If, says his Lordship, the noble Lord in the other House, [Lord North] comes down one day, and tells Parliament,

" You shall have a revenue, not a pepper-corn, but a clear, substantial, productive revenue," the word flies through every corner of the House, Revenue!---Revenue!---Revenue! If, the next day, in all the fulness of ministerial supremacy, he says, " No revenue ; we must maintain the supremacy," the *fiat* instantly spreads.--Supremacy!---Supremacy!---Supremacy! If again the conqueror of America tells his friends, that the revenue and supremacy are gone, and along with both, unconditional submission ; that we are no longer to fight but treat ; with one voice the halcyon tidings are echoed through, and reverberated against the hallowed walls---Treat!---Treat! Treat!---Thus, peace or war, submission or no submission, supremacy or independency, revenue or no revenue, it is the same thing with his Lordship and his followers. But if, through this various scheme of monstrous and absurd politics, chance or art should bring about or produce any favourable circumstance, his Lordship will once more appear enthroned in all the fulness of ministerial majesty, covered with graces, favours, and consequence, surrounded by his placemen, pensioners, and contractors, supported by his myrmidons and court janizaries ; he will once more, I say, resume his former high tone of command.

His Lordship proceeded to make several animadversions on ministers, whom he represented as the tools of their secret employers. This indiscriminate acquiescence, he said, was extremely criminal, and called in the first instance, for public reprehension ; and he hoped in the end, would meet the reward it merited. He contrasted this tame submission, to every mandate they received, to the firm and manly conduct of modern ministers, in countries deemed despotic ; in the persons of Count Kaunitz and the Duke of Choiseul, who sooner than break their words, or act contrary to their own judgment, opposed the will of their respective sovereigns ; and suffered what, in the language of the court of Vienna and Versailles, is termed being disgraced ; but which in fact, was looked upon by their fellow subjects, in a very different light. Their characters were revered by the people ; and such was the high opinion they entertained of those able and upright ministers, that if an occasion served, they would cheerfully trust their lives and fortunes, and whatever they held most dear and valuable, to their care and protection.

The question was put ; and the bills ordered to be committed without a division.

March

March 6.

In committee on the American conciliatory bills. No debate. Adjourned to the 9th.

March 9.

Third reading of the American conciliatory bills.

Earl of *Abingdon* said, I have given no obstruction to these bills in their progress through the House, because whatever bears the name of conciliation with America, though it be a shadow, I am ready to catch at ; and for the same reasons [meaning that they should pass] it is not now my intention to divide the House upon them ; but, my Lords, as I am firmly persuaded that these bills are no more than a continuation of that delusion which has brought this country to its present brink of ruin, and so far from obtaining the end proposed by them, that they are destructive of it, I rise to put my simple negative upon them, and will place my reasons for so doing upon the journals of the House. And, my Lords, having said this, I have only to add my congratulations to your Lordships on the late miraculous conversion of Parliament to the true faith. Whiggism triumphant over Toryism. Whig measures ingrafted on Tory principles.

" Humano capiti cervicem pictor equinam

" Jungere si velit : risum teneatis amici ? "

But, my Lords, however pleased I may be with this Centaur not Fabulous, I fear the motives that have produced it are not of the most honest kind. I fear, my Lords, that it is a temporary sacrifice only of principles to places, and that when the golden age is over, the iron age will return in its room. This good, however, my Lords, it must produce, American liberties are hereby confirmed, and put out of the reach of Tory disturbance for the time to come.

Marquis of *Rockingham* said, the bills were inadequate, and must prove ineffectual. He said, it had been a language progressively increasing since the commencement of the present reign, that such measures were the King's measures ; his Majesty's intentions, &c. But the King's friends, in the course of the present war, had ventured a step farther. Instead of calling the war, the war of Parliament, or of the people (he meant out of that House) it was called the King's war, his Majesty's favourite war. The public prints teemed with assertions of this kind. Persons were employed on purpose to write books, pamphlets, and daily publications, in order to disseminate those notions, and make them universal.

This,

This, he said, was a most insolent and unconstitutional conduct. The King can have no interests, no dignity, no view whatever, distinct from those of his people. The scheme was full of art and perfidy. It was to persuade the body of the people, that the rights of the crown were staked on the issue of the war, which consequently called forth all the friends of monarchy who were ignorant of the deception. The perfidy of this conduct was not more glaring, than the management and address was evident; for, should the war miscarry, ministers had two methods of shifting the odium off their own shoulders. In print and out of doors, the measures were the King's measures. In that House, and the other, they were the measures of Parliament. But, he trusted, the day of reckoning would come, when those subtleties would avail nothing; when, as they could not be the King's measures, it would be proved they were not the measures of Parliament, but of ministers. He hoped they had made no improper impression upon the royal mind; but when such men declared themselves the King's friends, and when their services were accepted of, he trembled for the consequences. His Lordship then spoke to the American measures at large and reminded ministers of their uniform language of supremacy, conquest, or unconditional submission; their frequent predictions; their boastings of our internal and naval strength, and great resources; their assurances of not only the pacific but friendly dispositions of France and Spain against which he brought, in a strong point of counter view, our defeats, our loss of men, waste of treasure, and threatened war with France; America independent, national weakness, divided councils, sinking credit, ruined finances, and exhausted nation, and, in case of a war with the house of Bourbon, a total inability either to make peace with the colonies, or defend ourselves against the attacks of our foreign enemies. The country gentlemen had been deceived and abused with promises of a revenue; and they were now when too late, ready to catch at any thing which might promise peace; but if he was not mistaken, the minister would disappoint them in this as in all his preceding promises. He promised them a revenue, and unconditional submission formerly. By the present bills he promised them peace; and what he could judge from their texture, he would disappoint them in this, as he had done uniformly from the beginning.

Earl of
Bristol.

Earl of Bristol said, he could not permit those bills to pass without giving his dissent to them. He wished for peace

with America, but these bills so far from being likely to obtain it, would sound the trumpet of war to all the neighbouring nations. In short, the measure was impotent, ignominious and ineffectual.

Lord *Townshend*. My Lords, as the noble Earl has rose to give his dissent to the bills before you, I shall request your Lordships' attention for a short time, rather to justify my own consistency of conduct, than from any utility I can propose by dividing the House upon them. Alas, my Lords, the calamity has already prevailed, and the humility and the degradation of the British empire has already reached those nations, who have so long revered her reputation and power. It appears useless therefore for us to give a negative to the present bills; introduced by government, and passed by the other House, what can any of us propose afterwards? Who but the House of Commons can support the war? And therefore, my Lords, were I to dwell upon this melancholy and degrading subject, it would be more like making a funeral oration over a much-honoured parent, than assisting the desponding family. If I knew any measure, after what has passed, that I could wish to propose, I would join the noble Earl in rejecting these ignominious, and I fear ineffectual bills; but if nothing better can be offered, and our national honour is lost, I own I would rather abide by these puny efforts to conciliation, than that an experiment should be made which could only gratify the purposes of party. And now, my Lords, allow me to say a few words upon the subject of ministers, who have been so frequently blamed for this war. It was certainly no war of their seeking; it could be neither their wish to provoke it, nor interest to continue it. It was, as I have said before, a melancholy legacy left to them by their predecessors in office. What minister would have dared to abandon the constitutional rights of this country? They descended to them by the example of former times, by the statutes and council books, and by the opinion of the greatest lawyers: and as much use has been made of the names of Whig and Tory, give me leave on this occasion to say, by the firmest Whig lawyers that ever graced this kingdom, from Lord Somers down to Lord Hardwick: upon their decisions and authority, and not upon any presumptuous opinion of my own, I conceived we had a right to tax the colonies. How we lost it, I will not enter upon; but I will venture to say, that the fluctuations of councils, the repealing in Parliament in one sessions what you had enacted

enacted the preceding, and your own inconsistency, have contributed more to our present melancholy and disgraceful situation, than all the indiscretion of the ministers, or the disappointments of the war. With respect to the war, it is not a time to enter upon any discussions of it; but I cannot help adverting to what was dropped by a noble Earl in the last debate, that if these bills should prove ineffectual, you might yet contract and improve the powers of this country, as in former times, when this nation made a great figure. I agree with the noble Earl, and I am of opinion, that by this plan our situation is by no means so desperate as seems to be conceived, although I believe the present humiliating measure must have been derived from some circumstances of dire necessity. I will not ask what this circumstance is, because I wish not to publish it to our enemies; and upon this principle alone I have given my negative to every question of this tendency. But, my Lords, I must observe that it is the first time I ever heard that a great state, or indeed any small one, suspended its efforts, or despaired of success, because it had lost a corps of three or four thousand men, I will call six thousand; or that, because it could not reduce a vast continent in one campaign, gave up the whole object of the war. Many have advanced, that American affairs were in a worse situation than ever. Let me recall your Lordships' attention to that period, when Sir William Howe was cooped up in Boston, and brought off his army on short allowance, and no one knew where the winds would carry them to Halifax, to the West Indies, or perhaps to Ireland! You then gave up Quebec as lost, you trembled for Halifax. You now possess not only Canada, but Halifax, Rhode Island (an admirable post and place of arms) You have gained New York and Long Island, and are in possession of Philadelphia, which perhaps is no more than a second Boston, except its not being commanded by heights. Yet what country is to be reduced by operations in front? what enemy is to be brought to a decisive action he chooses to avoid, having an extent of country behind him, unless you can turn his flanks, or get between him and his magazines. I speak on known principles; I arrogate not the character of a great officer; I appeal to those who have had greater commands, and know the country better than myself.

Let me ask you then, can you send twenty thousand men more to your general, or land them behind Mr. Washington in Virginia, between him and his magazines? If not, let

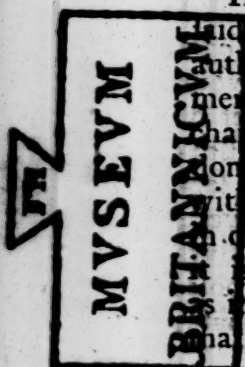
your general there advise you how to change the plan of the war; it is by no means a desperate task: you have still a resource; I will not enter upon it at present; I believe the noble Earl who suggested it the other day is well informed upon this point, and I will drop it. I was likewise happy in hearing a noble Earl in high office say, we had still resources left. But, my Lords, the use I would wish to make of this subject, is, to engage your attention to a part of the British empire, which has seldom offended you, never deserted you, nay, always supported you; to a nation whose utmost efforts in point of produce, inhabitants, and personal exertion, hath been freely and generously devoted to the British empire: it remains, my Lords, with your justice and prudence, and that of the government, to consider and cherish at an early hour this great support of your declining empire: your Lordships must anticipate the country I allude to.

My Lords, consider in God's name in time what you owe to that gallant and impoverished country; suffer not your humiliating proposals and offerings to be laid at the feet of the Congress, in whose front of battle, if I am not misinformed, the poor Irish emigrants perform the hardiest service: let us consider that country as a part of ourselves; open the Irish channel to your best service; avail yourselves of her excellent ports; cramp not their industry for purposes I will not mention; shew you can cherish your affectionate, if you cannot reclaim your ungrateful children.

Lord Camden concurred in the sentiments of the noble Lord who spoke last, respecting Ireland. He said, Ireland deserved every possible encouragement. We were compelled to it by every motive of interest; we were bound to it by duty; and ought to have been urged to it by gratitude. He hoped to see those narrow short-sighted prejudices, which prevailed in our public counsels respecting Ireland, at length give way to a more wise and liberal system of policy. Ireland, when she experienced the advantages of a mild and wise government, would be impressed with additional reasons to strengthen that spirit of loyalty and obedience, which had so characteristically distinguished her, under a dominion, she was free to say, far from being gracious or kind. If, therefore, the noble Viscount, or any other noble Lord, should think proper to move a committee to examine into the nature and extent of the hardships that country suffered, he would most gladly give every assistance in his power to forward

forward an enquiry which must, in his opinion, tend much to the respective interests, the strength, and riches of the two kingdoms. He said, he never heard one solid objection to the taking off the restrictions on the trade of Ireland. He knew, even in a partial, contracted view, they were of real disservice to this country; but upon a more liberal scale, they were actually pernicious. Leave the trade of Ireland open, that kingdom will encrease in wealth and population. That wealth will ultimately be yours. Like the blood returning to the heart, the health and vigour of the dependent parts will add new vigour to the whole body. The riches of Ireland, after fructifying that country, will finally rest here; and Ireland, in return, will profit by the opulence, as she will be protected by the power and greatness of the parent state.

His Lordship then gave his sentiments on the bills. He stood in the solemn silence which had been observed by the authors of the present measures, so contrary to all their former declarations, no reason had been assigned for so sudden a change of opinion, but necessity. What have ministers done? They have founded their justification on necessity without giving you the least intimation what the necessity is in order that the House may be enabled to judge, whether it is well or ill founded. No, you must trust them in this in every thing else; they think there is a necessity, and that is sufficient. If you ask them what the necessity is they are silent, or tell you they do not know. Is it the treaty entered into by the American delegates with France? They know of no such treaty. Is it inability in point of men and money to prosecute the war? Not at all; the resources of this country are great, says a noble Lord in his office [Earl of Suffolk] and equal to the task of compelling the colonies to agree to reasonable terms of accommodation. Is it that our claims of supremacy and taxation were unjust? Not that neither. Ministers, though they have changed the measures, have not changed their principles. Is it the want of men? No, the spirit of the nation is high, the war is popular: it is the war undertaken purely to assert the supremacy of Parliament and the rights of the people; it is a war of popular rights. What then is it, in God's name? It is neither a want of men, money, justice, popularity, spirit, nor a fear of being involved in a war with France; but it is necessity; and who can dispute about its existence with the noble Lords, who, from their exalted official situation



ought to know best, and have told you? The declaratory bill, relative to the taxation of America, reserved the right, while it professed to give it up. The purport of it was rather, to express the reluctance with which the claim of taxation was given up in part, than to shew fairly and openly, that America should not be taxed in future. Why not renounce the right at once? Ministers knew the inexpediency of exercising it; they knew they dared not attempt it. Would it not, therefore, be more noble to give it up, explicitly and directly? The mode of meeting the wishes of America in this manner, afforded strong ground of suspicion to the people of that country. It bespoke a shyness, a diffidence to do justice, and agreed with those terms, which the ministers themselves acknowledged, had only originated in the most pressing necessity. Again, the same bill declares, that the troubles arose on account of misrepresentations relative to the exercise of this right. Then either we had the right, and are yet competent to exercise it, or we never had it, and grant by the bill what was never in our power to give. But the right of taxation is still more than implied; it is in fact asserted; for it declares we will never lay any taxes upon America but to regulate their trade. Is not this an assertion of not only the right, but our intention to exercise that right? Oh, but the monies levied under this authority are to be applied to the uses of the respective colonies where such monies shall be raised. To whom, my Lords, is this extraordinary language held? To people who know an act from motives of necessity, and who are wise, sagacious, and penetrating enough to descry, under this pretended candour, concession and good will, the same principles directed towards the attainment of the same objects, though in a different mode. What does the next bill say? (that repealing the act for altering the charter of the province of Massachusetts's Bay) Precisely the same thing. Instead of condemning the act, and disavowing the principle on which it was framed, it talks of uneasinesses and misapprehensions. And what more does it contain? Nothing, but a simple repeal, on the same grounds of concealed necessity. Instead of ministers acknowledging themselves the aggressors, that they proceeded upon misinformation; instead of justifying themselves under the sanction of Parliament, that the charters of the respective provinces shall be preserved inviolate, they tell the party aggrieved, that it was their own fault; they assert, by implication at least, that they were

right, and justify their present concession on the ground of necessity; a circumstance which would serve to inflame, and not tend to heal the breach between the two countries. When ministers consented to repeal the charter act (for he understood the proposition for a repeal did not originate with them) why not declare at once, that this kingdom would never again meddle with a tittle of any of the American charters? Why not in the moment of remedying one grievance, give assurance to the colonies, that they should never have cause for a second complaint of a similar nature.

His Lordship came next to the most material of his objections against the bill for sending out commissioners. This he said, meant nothing, or worse than nothing; it seemed much better calculated to divide than conciliate. It empowered to do, what? To treat with America, and then return to Europe to consult Parliament. This wears a very suspicious appearance. Why not, instead of arming commissioners with powers, not to be regulated, nor of course properly exercised, why not repeal the obnoxious acts at once? Such a conduct would shew that you were in earnest. The commissioners are charged and restricted by the bill, to take care of the rights of the Crown, and the liberties of the subject, the most vague, indefinite words imaginable. What are those rights? And what are the privileges alluded to? How can men act under such powers? And if they should act under them, what possible security is there, that either the Crown or Parliament will consent to abide by them? No blundering as ministers are, ignorant as they have proved themselves, they seem to have taken care, by the terms of this bill, to disavow its offensive purposes, whenever they shall get rid of this necessity, which they seem so desirous to conceal. His Lordship asked, why administration could not at the outset have proposed the repeal of the obnoxious acts all together, previous to the sending out the commissioners. They could not be ignorant, that if America consented to treat at all, she would make that the *sine qua non* of every species of treaty. The truth is, they want to rest on their arms, and to draw breath; to keep their places in the mean time and wait for some favourable event, either by dividing America, or when they have got clear of this accursed necessity, return to their old principles, which they have been honest enough to give but nominally up. As a matter of constitutional import, distinct from the bill, his Lordship reprobated in the strongest terms the suspending power vested in the

commissioners. It was a clause of dangerous precedent ; and said, if he let it pass without a particular opposition on the present occasion, he wished to be understood, that it was not without a high degree of disapprobation ; and hereafter, if a similar measure should be repeated, he should most certainly give it a separate and distinct opposition. He added, that if the necessity which the ministry assigned as a cause for their at this moment adopting a measure repeatedly suggested by opposition, and which a little time since might have been put in practice, with a moral certainty of success, and with a colour of more honour than at present, if that necessity arose from a knowledge of a treaty, offensive and defensive, having been agitated, or signed, between France and America, which had been mentioned, it was the duty of ministers explicitly to tell their Lordships how that matter stood. The King's servants could not be ignorant of the truth of the business. It had come out in the Lower House of Parliament three weeks since ; there had been time and time enough for them to have ascertained the fact ; nay, report said, that they not only knew it, but that they had sent emissaries to tamper with Doctor Franklyn and Mr. Deane, the Congress's deputies to the court of France, to whom they had offered the terms which these bills on the table went to authorize, and the terms had been rejected with contempt. Report, indeed, went further ; report said, that they had even applied to the Congress in America ; that they had stated every proposition they meant to offer, and that they had been rejected. If the fact were so, his Lordship said, nothing could excuse, nothing could palliate the presumption and the wickedness of holding out such a trick, such a deception to the nation, as the present recanting scheme manifested in the bills upon the table, which, if not successful, must add to our difficulties, and increase our dishonour. In order more fully to shew the folly of sending out terms which were likely to be refused, his Lordship desired the ministers to advert to the inevitable consequences of a nugatory treaty—a war with France and Spain ; and to consider, whether a country so fatigued with a contest with one foe, as to be forced to acknowledge an indispensable necessity of making unlimited concessions, in order to procure peace, was capable of fighting three enemies at once ; to maintain her quarrel with America, and at the same time to give battle to her two seconds, France and Spain, who came fresh into the field.

His

His Lordship, before he concluded, said, that America would never treat with the present ministry, and that while they remained in office, it was idle for the people of this country either to expect peace, happiness, or honour.

Lord Lyt-
elton.

Lord *Lytelton* defended administration on the ground of necessity, and said, the exigencies of affairs made it necessary for them to alter their measures; that the present bills were not acts of inconsistency, but a desire to do that at a less expence of blood and treasure, which they, in all probability, may command in two years time. He said, the present necessity of giving up the exercise of the right of taxation, in which he thought the supremacy of this nation involved, did not arise from the faults of administration, but must be in the execution of their plans. He blamed the inactivity of General Gage at Boston, and the backwardness of General Howe, who appeared to have acted with an ill-timed prudence, when every thing depended upon an expeditious exertion of our force.

Duke of
Grafton.

Duke of *Grafton* said, he rose to rescue his ministry from the general censure which had been thrown out by Lord Townshend upon preceding administrations, under which the seeds of this rebellion were said to have been sown. He defied any Lord in the House to point out a word respecting the discontents in America, in any speech delivered to Parliament by his Majesty, whilst he was in office. He did not, however, assert, that the colonies were perfectly contented at that period; they had begun to exhibit some marks of discontent. He might compare America, at that time, to a generous steed, who had become a little restive, but might, by the experienced *manège* of a good horseman, be easily brought to a gentle obedience; but when whipped, spurred, and harrassed, by a giddy, wanton rider, became insolent of controul, and disdained the reins.

He then turned to the intended commissioners, and said, he understood that the two commanders in chief by sea and land were to be in the commission. This he thought highly imprudent, as though they might be excellent commanders, yet not, like the great Marlborough, unite the powers of negotiation with the talents of war. He did not mean any personal application to the present chiefs, for, according to the confused arrangements of the cabinet at present, neither he nor the minister himself could possibly say who should have the command of our army or navy when the commission should be opened in America. He then alluded to the re-

port

port of the appointment of Lord Carlisle to be one of the commissioners; and though he gave him credit for abilities and many amiable qualities, professed that he thought his Lordship capable of almost every trust that his Majesty could repose in him, except the present; for there were certain prejudices in the people of America against certain peculiarities of his Lordship.

Earl *Gower* defended the abilities of his noble relation, Earl *Gower*. [Lord Carlisle] and doubted not he would execute any trust of negotiation with honour to himself, and satisfaction to their Lordships.

Dr. *Porteus* [Bishop of Chester] spoke in defence of the Dr. *Porteus*. bills, and among other things said, some think they offer too much; others say, they offer too little; therefore I think that they contain just enough. [This gave occasion to the Duke of Richmond to retort, that the right reverend Prelate had found out a new mode of reasoning, viz. that, that must be right, which pleased nobody.]

Duke of *Gordon* said, he would assent to the bills, not that Duke of he liked them in all parts, but as the only pacific terms offered. This, he said, he did entirely from himself, without the influence of any minister; and though he held his seat there as one of the sixteen peers, he would relinquish that seat, before he would be dictated to by any administration whatever. *Gordon*.

Duke of *Richmond* complimented the Duke of Gordon on his manly spirit, and pledged himself to join him and others in going into an examination of ministerial power over the freedom of the election of Peers in Scotland, an instance of which he gave in the case of the Earl of Stair. *Richmond*.

His Grace then said, he wished the commissioners to be sent out, may be as they ought to be, men of great political knowledge, great weight, great moderation, and high characters; the nature of the embassy demanded such men, who had good sense to yield little forms, and take proper advantage of all occasions: but, says his Grace, the persons I hear to be sent out, are, I fear, inadequate to this task; one being a noble Lord, young and unexperienced in those matters; another a clerk in office; another belonging to one of the public boards, besides the commander and admiral in chief. Now, says his Grace, I have lately been acquainted, that one of the governors in America, making exceptions to some of the Congress sitting in council with woollen caps on, they were highly offended, and persevered in doing so. How inadequate

inadequate, therefore, must this embassy be, where a noble Lord, bred up in all the softness and polish that European manners make fashionable to rank—I say, how inadequate must such a meeting be amongst men in woollen night-caps.

His Grace concluded, by saying, if administration mean to succeed in these bills, and not trifle with the nation, they should have dealt with more candour and sincerity, and let both have appeared in the choice of men, and the powers entrusted to them.

The question was put, carried without a division, and the bills passed.

Dissentient,

Because the terms now offered by the above bills to America, whilst sufficient to shew the very humiliating state to which the dignity and boasted supremacy of Parliament are reduced, are insufficient to the great end of conciliation proposed by them; and for the following reasons:

First, Because (as to the first bill) a declaration not to impose taxation on America, is, in the very suspension of the exercise, a confirmation of the right; for without the right the declaration is void; whereas America denies the right and, upon that ground, resists the exercise. If the right then be reserved, the object of resistance remains; and, so remaining, may be exercised whenever any future Quixote ministry in example of their predecessor, shall be led to convert history into romance. But it is objected “that a right cannot be surrendered;” so neither, if it be a constitutional right, can the exercise of it be dispensed with: for what repels the former, must equally counteract the latter. But this is no constitutional right: on the contrary, the constitution reprobates and disavows it. For taxation and representation are constitutionally inseparable, and America is not represented; of course America cannot be taxed.—Whilst America therefore will not accept that by courtesy of Parliament, which she holds in right of the constitution, and for the good reason that an act of parliament is revocable, and the constitution irrevocable; it follows that a renunciation of the right, and not the mere suspension of the exercise, was the proper object of this bill.

Secondly, Because (as to the second bill) the appointment of commissioners to treat with any person or persons, other than the Congress, is so glaring a manifestation of the intention of such treaty, as must necessarily occasion a circum-

spection

section in the Congress that may not be much to the ease of the commissioners themselves.

Thirdly, Because, although the commissioners and the Congress be agreed, such agreement is of no effect till confirmed by Parliament; which is giving such advantage to Parliament, by knowing what Congress will do, and is of such disadvantage to Congress, by not knowing what Parliament will confirm, that the very inequality of the conditions will put a stop to accommodation.

Fourthly, Because, as the withdrawing of the troops would be the saving of the army, (not to mention the policy of the measure upon other grounds) so the ceasing of hostilities there, will, by fatal experience, prove to be the loss of it. The remains of General Burgoyne's army are now constituting a part of the great yeomanry of America.

Fifthly, Because the prohibitory act is to be suspended under exceptions and restrictions, which exceptions and restrictions (and whilst Great-Britain is under neither) intending restraint upon the supplies of America, are neither liberal in proposal, nor probable in acceptance.

Sixthly, Because among the many things to be done, the one thing needful is to be left undone. The Quebec act is to remain without suspension. The power given to the commissioners is, "to suspend the operation and effect of any act or acts of parliament, which have passed since the 10th day of February 1763, and which relate to any of his Majesty's said colonies, provinces, or plantations in North America; but Canada is not one of the said colonies, provinces, and plantations referred to in the bill, and therefore the commissioners have no power to suspend the operation and effect of any act or acts of parliament that relate to Canada. This then will create a stumbling-block, insurmountable at the very threshold of negotiation. For, besides the establishment of despotism and popery in Canada, unto which America will never fit quiet, this horrid and unconstitutional act, by extending the boundaries of its province, has invaded the property, and removed the land-marks of its neighbouring colonies; a violation that justice should redress, if America were even silent thereupon.

Seventhly, Because power is given to the commissioners to grant pardons to people who not only, they say, have been guilty of no offences, but the very bills themselves say the same thing for them; for, besides acceding to the claims of America, the Americans are stiled his Majesty's faithful sub-

jects; and to pardon faithful subjects is an act of supererogation, if not of absurdity.

Eightly, Because the appointment of governors being now in the hands of the Congress, an attempt to supersede that power before it be known whether the terms offered be accepted, looks more like having an eye to that Machiavelian maxim of "*divide & impera*," than to the more solid benefit of a general union.

Lastly, Because concession now, like a death-bed repentance, comes at the last hour; and being, as avowedly, the effect of necessity, and not of principle, we are left under all the fears and apprehensions of dissolution; and without the hope of salvation, but in the magnanimity of America: a magnanimity, however, which we have already experienced, and which (by insisting on the justice of removing from his Majesty's councils those evils ministers who have trodden on the liberties, and, with savage cruelty, spilled the blood of America, and by placing in their room the friends of humanity and of the constitution) may restore us to that health and strength, and again to that peace and empire, which was once the boast of this country, and the terror of the world beside.

ABINGDON.

March 10 and 11.

No debates.

March 12.

In committee on the state of the nation.

Earl of
Effingham.

Earl of *Effingham* opened the nature of the business he meant that day to agitate, *viz.* to shew that there had been a most scandalous want of oeconomy in one department of the management of the public finances. The whole of the sum expended under the head which he was about to consider, the Earl stated to be only six hundred thousand pounds, which, as their Lordships had been of late used to talk of millions as trifles, would probably to some of them appear to be so very a trifle, as scarcely to be worth their notice. He begged leave, however, to remark, that if a large part of so small a sum as six hundred thousand pounds was disposed of extravagantly, as he doubted not he should make appear, before he finished, he was fully justified in argument, and if not otherwise satisfactorily cleared up, to conclude in fact, that the waste of the public money, upon the gross sum expended, must be enormous; and therefore every point which served to elucidate a matter of so much importance, was well deserving their Lordships

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ships attention. The Earl proceeded to observe, that during the present fatal war, the treasury, contrary to precedent, had assumed to itself a power, which he had ever understood to belong to the navy board; the power of taking up ships for the transport service. As there appeared from the papers on the table, to be a considerable difference in the amount of the sums expended by the navy board, and by the treasury, upon this kind of service, he meant to call witnesses to prove the custom of taking up ships for transports by the navy-office, and the price that office paid for freight; others to prove, that the treasury had, in the years 1775, 1776, and 1777, also taken up ships; and others to shew the price of the freight paid by the treasury, with such other matters as went to ascertain the accounts on the table; by which means their Lordships would be enabled to judge which method was the most economical and the best for the public, and consequently to determine which method ought to be pursued in future.

Here his Lordship took an opportunity to complain of the very slovenly manner the accounts were drawn up in; whether through negligence or design he would not directly pretend to determine; though, he believed, he might be well justified in saying, that they bore the strongest appearance of being rendered loose, inaccurate, intricate, or confused, in order to defeat the ends of the enquiry, which was to procure certain premises, whence conclusions might be unquestionably drawn and acknowledged to the satisfaction of every side of the House. This was evident throughout the whole; and had indeed been so successfully effected, that it would baffle the industry of almost any man, at least, he said, one of his size of abilities, within the time limited, to arrange, connect, and fully digest the papers from the state they appeared in when laid on the table. He would mention a single instance which would serve to satisfy their Lordships of the justice of the general charge, of the grossest negligence, or the most wilful contempt of the orders of that House; which was, that the clerks so far forgot their duty, or purposely withheld the performance of it, that they omitted to cast up a single account, or state a single total. This omission he was under the necessity of supplying, by getting a person [a Mr. Heard] who would be called to authenticate the totals, to cast them up, in order, as he observed before, to found his resolutions on certain premises, from which to remove every possible ground of objection, he

would beg leave to have the person so employed prove the specific totals at the bar. Having then stated to the House the tendency of the questions he meant to propose, he moved, that Sir Richard Temple (a commissioner of the navy) be called in.

Sir Richard
Temple.

Sir Richard underwent a long examination. In the course of his evidence Sir *Richard Temple* proved that it was customary for the navy board, when ships were wanted for the public service, to advertise in the news-papers for so many tons of shipping as were necessary. That the contract was always made with the person who sent in the cheapest terms. That when it was made, an officer of one of the public dock-yards, either the master attendant, the clerk of the survey, the store-keeper, or some other officer surveyed the ships, measured them, and reported whether they were such as were described in the contract. That the navy-board had paid 10s. a ton for freight in the beginning of the war, but that in April 1776, they took up twenty-five ships, for the purpose of carrying the cavalry to America, for which they paid 12s. 6d. *per ton* freight. That those ships were of a particular make and dimension. That the navy-board could at that time get no ships fit for the horses at a smaller price; but, that they had not since paid any more than 11s. *per ton* freight. That either about the end of 1777, or the beginning of 1778, the treasury had applied to the navy-board, to know if they would undertake to provide for the transport service. That the board declined it, because they not only did not think it any part of their business, but because they had already more to do than they could well execute. That if they had undertaken it, it would have been impossible, for the officer they employed to survey ships, to have done the whole duty.

Upon his cross examination, Sir Richard said, that he had heard, that in the reign of Queen Anne, a special commission was issued, appointing commissioners to execute the business of taking up transports during the war, at the end of which the commission ceased, and the power reverted to the navy-board. That it might be about four months since that application was made from the treasury, to know if the navy-board would undertake the service, which they declined. That the ships taken up for the purpose of exporting horses, were necessarily different from those used for other purposes.

Mr.

Mr. *Brummell* (private secretary to Lord North) was next *Mr. Brummell.* called, but as he declared, that he knew nothing relative either to the number, size, or expence of the transports taken up by the treasury, as he was engaged in a very different department, he was ordered to withdraw.

Mr. *Atkinson* was then examined, and in a very long *Mr. Atkinson.* speech, gave an account of his connexion with the treasury as far as regarded the transport service.

He began with declaring, that at one time, when the stores were to be conveyed to Boston, he contracted with government to send them there, but that he had since acted merely as an agent for the treasury, procuring them ships for the transport service and receiving commission money in the same manner as was customary, when the same business was done for private merchants. He went on to inform their Lordships, that his house had long had a connexion with most of the ship owners in the kingdom; that whenever government applied to them for ships, the mode used by him and his partner to obtain them, was, to write down to their correspondents in the several sea-ports, and when they had found such ships as were likely to answer the purpose of the treasury, to have them measured and surveyed by a person they employed for that purpose; then to enter into a charter-party with the owners, of the same nature with the charter-parties drawn up by the navy-board; that the mode of payment was to pay the owners two months in advance as soon as the ships were taken up, and two months more at the end of four months. That for some time he had only paid, and been repaid, at the rate of 11s. *per* ton freight, but that government wanting several ships in January and February 1777, he was under the necessity, in order to procure ships, to promise such owners as refused to contract, from a hope that the price of freight would be advanced, that if they would enter into a charter-party at 11s. they should be advanced as soon as the navy-board advanced in the price they paid for transports; that when the price for the twenty-five ships to carry the horses was raised to 12s. 6d. *per* ton, the owners insisted on his paying the same; that he contended, the twenty-five ships were for a particular purpose, and were not to be regarded as an example; that the owners, nevertheless, insisted on their bargains, and even threatened him with law suits, unless he paid them the advanced price; that as the service pressed exceedingly, he was under the necessity of complying; that at the desire of the treasury, he had since wrote

wrote circular letters to the ship owners, endeavouring to get ships at a smaller price of tonnage ; that he laid the answers he received before the Lords of the treasury ; that it appeared from their answers, to be the resolution of the majority of the ship holders, not to contract for less than 12s. 6d. *per ton* ; that if the treasury had not continued to pay that price, the public service could not have been executed ; that so many transports had been wanted, he had even been obliged to send to every ship-builder in the kingdom, and contract for such as were nearly finished and fit for the service ; that he had also sent over to Holland and bought ships there ; that although he paid ready money, in a manner, for the freight, and the navy-board paid in navy-bills, which at certain times bore a considerable discount, that the ship owners preferred a contract with the board, alledging, that when in their service they lay a considerable time in port, and were not wearing out their sails, tackle, and ships, so much as they were when employed by the treasury, in continual voyages to and from America ; that he had argued with the ship owners in order to persuade them to take less freight, and at last got them to accept of 12s. *per ton*. That they said they did not get much more by the treasury at 12s. than they formerly had got at 11s. for that seamens wages were raised 14s. *per month*, and as they must necessarily have seven men to every 100 tons, they consequently only received 2s. for each ship more for the freight than the addition of the seamens wages amounted to, and then it was to be considered, that provisions were increased in price.

Upon the Duke of Richmond's asking him, what he received for commission, he said he used to receive two and an half *per cent.* which was the standard price for such business among the private merchants ; but that some time since (last July) the Lords of the treasury sent for him, and after arguing upon the great number of ships taken up, desired to know, whether he could not do the business for less ; that he said, he would leave the matter entirely to their Lordships, and that they had since paid him only one and an half *per cent.* commission.

He was asked by Lord Shelburne, whether he did not think the Lords of the treasury had not been too hard upon him ? he said, if he was to answer that question to their Lordships, he must say he seriously did. [This reply set the House a laughing heartily.]

In reply to another question from the Duke of Richmond, he informed the House, that the mode of his settlement with the treasury was, for him, once a month, to take to the board an account of all his contracts as they then stood, with the charter-parties and certificates of such ships as had fulfilled their contracts, and to receive what was due to him upon the whole. Thus, he had on Tuesday been paid all that was and would be due for the month of March.

Mr. Heard was next called.

Mr. Heard proved the totals of the accounts upon the table, *Mr. Heard.* to which the resolutions intended to be moved by the Earl of Effingham referred, were exact.

As soon as Mr. Heard's examination was ended, Earl of *Earl of Effingham* rose, and after paying Mr. Atkinson an ironical compliment, by declaring that his speech was the ablest defence of the treasury that he had ever heard, descanted for some time on the evidence that had been given by the several witnesses. He then drew a comparison between the amount of the money expended by the navy board, and the amount of the money expended by the treasury, stating each as referring to two distinct points—the contingencies and the price of freight. In regard to the first (which the Earl said he could not state to a certainty, because they did not appear by the papers before the House, but he had taken the article by an average not very likely to prove fallacious; and from that average) it appeared that the contingencies of the account from the treasury for the transport service exceeded the contingencies of the account from the navy board for the same service in the gross sum of one hundred and thirty odd thousand pounds; the amount of the latter being no more than thirty-three thousand pounds, and the amount of the former swelling to the enormous sum of one hundred and sixty-three thousand pounds. In regard to the article of freight, though the excess paid by the treasury *per ton* had been no more than 1s. 6d. the Earl shewed that the difference was forty-five thousand pounds, which, added to the excess in the contingencies, made the whole difference amount to one hundred and seventy-eight thousand pounds. Supposing, however, that he should make an allowance for some particular articles, over-charged, wrong charged, or omitted in either or both services; and on that supposition strike off 8,000l. of the excess of expenditure, 150,000 would still remain, which was in fact a waste of the public treasure to the

the amount of twenty-five *per cent.* the total being, as he observed before but 600,000*l.* When this was attentively considered, it must produce very melancholy reflections in the breast of every man, who had the interest of his country at heart.

These premises fully authorised him to brand this transaction with its true name, a jobb; and that of the most shameful and disgraceful nature. It carried about it all its proper marks; it was a most beneficial contract, made in the dark, with a favourite contractor. Why not advertise as the navy board had done? Why not try particularly when they found that the navy board had lowered the freight? The navy board, said one of the evidences at the bar [Atkinson] was the first occasion of raising the price; why not copy them throughout, and lower as well as encrease the freight in imitation of them as they did so early as the month of June 1776, and down to the latest accounts on the table. The witness has said in answer to this, that the navy board took up but two ships in the month of June, and eight in the ensuing December; therefore that the decreased demand from that board caused the freight to be lowered. He was ready to meet the objection, taking the argument either way. If the smallness of the demand could enable the navy board to contract lower, the same cause should surely have produced a similar effect on the treasury contract. If on the other hand, the demand for transports continued equally pressing at the treasury, it afforded the best possible opportunity imaginable, to transpose part of the business to the navy board, who had their hands quite empty; the latter not having taken up but ten transports in full six months. This could be effected without an encrease of officers, which was the only shadow of an objection he heard urged, and the foundation of almost every thing that had been offered by the very plausible gentleman at the bar [Atkinson]. The rest of what that gentleman said having gone only to an extenuation of the conduct of himself and his employers; not to justify it in any other manner than the ground of necessity, which remained yet to be proved; for he never could be persuaded that either the necessity of the treasury contracts for a high price, or the necessity of the treasury board being obliged to take that business upon themselves, had been even plausibly, much less clearly made out.

His Lordship said, the present enquiry formed but a small part of what he deemed necessary, namely an inspection and examination of the public accounts in general. By what appeared from the papers on the table, and which had been further explained and elucidated by the evidence at the bar, he said there was good ground for suspicion, if not proof of actual corruption. At all events there was sufficient evidence to support, in the fullest manner, the resolutions which he proposed to submit to their Lordships consideration; and of course to arouse their Lordships attention to an enquiry into the expensiture of the public money, particularly at this time, at the close of a war with France, when public frugality was become peculiarly an act of sound policy, nay of the utmost necessity, when we considered the powerful foes we were about to contend with.

His Lordship concluded with informing the house, that he had several resolutions grounded on the information on the table to propose. The first resolution, and that on which the question was put, was "That there was taken up by the navy board, from Michaelmas 1775 to Michaelmas 1777, four hundred and thirty five vessels, carrying 131,000 tons.

Earl of *Sandwich* said he got up to oppose the resolution; he said he did not doubt of its veracity, but he was very sure, from the nature of the service, (it being quite a new case to victual an army so far from home) every possible line of economy was adopted that could be by the treasury; and one proof of that amongst many others was, the treasury lately knocking off the odd sixpence, because the navy gave no more than 12s. per ton. The price of freight was raised; the service was a pressing service and could not be trifled with; that the troops must be fed; for who would have Englishmen and friendly foreigners to starve in an hostile land? that the necessity of sending them provisions at any rate was such, that if the freight had been double it must have been paid; that he had seen several letters from Gen. Howe, praying, that a supply of provisions should be expedited; that so far from censuring the treasury, in his opinion, they deserved the thanks of their country, for the zeal and alacrity they had shewn in this very business. His Lordship concluded with moving for the chairman to leave the chair.

Earl of *Suffolk* said he must now as he had done before declare his objection to any resolutions upon matters of fact. The evidence had proved that transports could not be procured cheaper. The necessity of the service called for dis-

patch. Sir William Howe had frequently pressed administration on that head.

Earl of Shelburne.

Earl of *Shelburne* said that Sir Richard Temple answered reluctantly; that Mr. Brummel, private secretary to the noble Lord at the head of the treasury, affected to know nothing and Mr. Atkinson had, with great plausibility, assigned every reason he believed for the contract being entered into but the true one; and had given and taken great credit to himself and his employers, for his abating one per cent. of his commission; but when did that happen? at the time that a very critical scrutiny was making into the scandalous rum contract, which had been condemned as a job, by the very able and respectable merchants to whom this shameful transaction was referred.

The question was put for the chairman to leave the chair contents 39, non-contents 18.

Earl of Effingham.

Earl of *Effingham* moved that the employing private persons in the hiring and equipping vessels in the manner taken up by the navy board, has been a loss to the public, to a very great amount. House divided, contents 17, non-contents 35.

March 13,

Private business. Adjourned to the 16th.

March 16,

Private business.

March 17,

Lord Weymouth.

Lord *Weymouth* delivered a message from the king [Same as was this day delivered to the House of Commons, *see the Common's debates of this day.*] respecting the treaty concluded between France and America, and a copy of the French ambassador's notification of the same.

As soon as the chancellor had read the message and notification,

Lord Weymouth.

Lord *Weymouth* moved, "That an humble address be presented to his Majesty to return his Majesty the humble thanks of this House, for the communication of the paper presented to the Lord Viscount Weymouth, by the order of the French king; and for acquainting this House, that in consequence of the offensive declaration, his Majesty thought proper to order his ambassador to withdraw from the court of France.

"To assure his Majesty, that it is with the utmost difficulty this House can restrain the strongest expressions of the resentment and indignation which they feel for this unjust and unprovoked aggression on the honour of his Majesty's crown, and the essential interests of his kingdoms, contrary to the law

of nations, and injurious to the rights and possessions of every sovereign power in Europe.

“ That the good faith and uprightness of his Majesty’s conduct towards foreign powers, and the sincerity of his intentions to preserve the general tranquillity, must be acknowledged by all the world, and his Majesty cannot be considered as responsible for the disturbance of this tranquillity; if his Majesty should find himself called upon to resist the enterprises of that restless and dangerous spirit of ambition and aggrandizement, which has so often invaded the rights, and threatened the liberties of Europe.

“ That we should be wanting in our duty to his Majesty, and ourselves, if we did not give his Majesty the strongest assurances of our most zealous assistance and support. Every sentiment of loyalty to his majesty, and of our love to our country, will animate this House to stand forth in the public defence, and to promote every measure, that shall be found necessary for enabling his Majesty to vindicate the honour of his crown, and to protect the just rights and essential interests of these kingdoms.”

The Duke of *Manchester* said, however great the provocation given by France might be, he was totally against their Lordships agreeing with the address, if the approaching war was to be conducted by the same men who were the authors of all our present calamities. Men, in whose hands nothing could succeed; and in whom it would be madness to confide. He reminded their Lordships of the frequent warnings and admonitions Ministers had received from that side of the House, in which almost every progressive step towards national ruin had been exactly foretold, even to the very important business of this day. They were informed of this very treaty. They declared their ignorance of it. He had himself, from time to time, as an act of duty, communicated whatever came to his knowledge respecting the disposition of the court of France. He was satisfied of the truth of the matters contained in those communications; but he had no right to expect that their Lordships would give credit to private information, in preference to the assurances of ministers whose special duty it was to be acquainted with, and make known to that House, the views, motives, and disposition of our natural enemies. Indeed, there were some leading facts which spoke strongly in favour of what he had suggested to their Lordships, such as the residence of Messrs. Franklin and Deane at Paris. The open commerce carried on between France and the Colonies; the protection given to their privateers and merchant-vessels; the

Duke of
Manchester.

the contract between the Congress delegates, and the French farmers general, for certain quantities of tobacco, the growth of the North American colonies, to be delivered in France at a stipulated price, &c. Those, his Grace remarked, were circumstances sufficient, in his opinion, to open the eyes of the most obstinate and incredulous; but, in spite of all this Ministers got majorities to support them, against the strongest convictions of probability and common sense.

If we are to meet our enemies, the spirit of the nation must be as well wisely directed as called forth. The situation of this country was perilous to the last degree; but, under the conduct of such an administration, ruin was inevitable. The enquiry into the state of the nation proved their total incapacity for holding the reins of government. Destitute of a military force for the home defence, or of our only true national bulwark, a respectable navy, they laid us at the mercy of our enemies; they wasted our blood and treasure to no purpose, and, what was worse, they rendered us defenceless. They brought us to the melancholy dilemma of not being in a state to make peace, or prosecute a war. Are we prepared for a war? No noble Lord will, I presume, say we are. Can we preserve peace? He feared it was impossible.

His Grace then moved, that after the word support, there be inserted, "whenever his Majesty shall, from the regard of the honour of his crown, and the safety of his people, remove from his councils those persons, under whose administration no plan, civil or military, has been successful; and the Colonies, so valuable a part of the empire, have been lost to the nation, and driven into connections with the court of France, and whose longer continuance in power, we are bound to represent to his Majesty, may highly endanger the safety of his crown, and the remaining parts of his dominions."

Lord Weymouth.

The amendment was in the first place conditional; in the second, it contained an accusation against ministers.----He said, it was the first time he ever heard an address from any House of Parliament, approving of a message or speech from the throne, clogged with a condition which implied, that what was right in itself ought not to be pursued unless something else were granted. For his part, if the address met the sentiments of the House, he thought it should receive its sanction entirely on its own intrinsic merits, and not while their Lordships were acceding to an act of duty to accompany that act, with certain compulsory conditions. Such a conduct had both an ungenerous and unjust appearance.

Lord *Dudley* said, he had voted for all the measures of ministers, relative to the affairs of America, and could justify his conduct to his own conscience.---The war was in its principles just, and was founded in good policy. The measures, though they failed, were wisely planned, and must have succeeded, if they had been properly executed.

Earl of *Effingham* begged to know if there were any proofs wanting, to shew the total incapacity of ministers. Every measure they planned contained the fullest evidence of their insufficiency. He would not undertake to say who were the proper persons to succeed them. One rule however, for choosing ministers, he must adopt, which was, that they would be such men as were most likely to disclaim all subserviency, dependence and obedience to an invisible power. This invisible power was the great grievance to be provided against. This unconstitutional subserviency was the grand root of all the evils which have poured in upon us, since the commencement of the present reign. Whoever resisted this secret, concealed impulse, however able, was proscribed; whoever paid the desired obedience to it, however weak, ignorant, or incapable, was patronized and supported. To drag this secret undermining power into the face of day, ought to be the first great object. As long as that power was able to influence, and shift the responsibility annexed to the direction of the national councils, a change of men would avail nothing; the same influence would continue to produce similar measures. To destroy that influence, it would be first necessary to identify and detect it. This could never be the case, while the distinctions of an *ostensive* and *efficient* cabinet were preserved. He had heard a great deal of an *efficient* cabinet at the commencement of the present war. He had heard a noble and learned Lord [Lord Mansfield] acknowledge that he was once member of that *efficient* cabinet, but had declined it for some years before. He had heard the same noble Lord say, that we had passed the rubicon, and could not retreat. He feared doctrines of this kind did not originate in their proper place; he presumed that they came to ministers but at second hand; he was therefore for tracing the effect to its true cause. The only expiation ministers could make to their country for the sin they had brought upon it, was to disclose the authors of those measures; instead of sheltering themselves behind the name of the King at one time, and the Parliament at another. This last part of the subject brought into his memory another ground of exculpation, urged by ministers, who had repeatedly said they were not responsible, because the measures pursued

sued were the measures of Parliament. He looked upon himself specially bound never to permit this doctrine to pass unnoticed, he pledged himself to their Lordships and the public that he would never endure such a ministerial apology to pass without properly animadverting upon its fallacy. Parliament had been deluded, deceived, abused, and misled. Ministers had misinformed Parliament all along, they had misrepresented the force we had to contend with: they had acted in like manner respecting our state of ability and preparation; they assured us, that France was not only pacific, but friendly, but even though she were not sincere, that we were prepared for the worst; and above all, they told us that America was both weak and disunited, and that all we had to do, was to send sufficient force to protect and put arms in the hands of the friends of government; consequently, let the fault originate where it may, in a junto, an efficient cabinet or private advice, none of those descriptions of men could shelter themselves behind Parliament. They were measures recommended to Parliament, and adopted by it, upon assurances repeatedly given, if the facts contained in these assurances were false or ill-founded, those, and those only who gave them, or instructed ministers to give them, were responsible to Parliament, and the people at large.

Lord Ravensworth.

Lord *Ravensworth* said the situation of the nation was at the last degree melancholy and alarming, and that whichever way we turned, almost insurmountable difficulties presented themselves. In such a critical moment of national calamity and distress, there was but one measure left to save us, which was, that of removing those ministers whom he said, had been sufficiently convicted of every species of ignorance and violence.

Marquis of Rockingham.

The Marquis of *Rockingham* asked, shall we attack France and thereby draw on us the whole strength of the House of Bourbon united with America against us? Shall we desert our attempt on America, and leave the united states at full liberty to join with our foreign foes? Shall we leave our West-Indian islands and our northern fisheries to fall a prey to some one of all of these powers? Or shall we, by protecting those places, leave the coasts of these kingdoms open to a foreign invasion? If any one of those places were left unprotected and defenceless, the consequences would be dreadful; and still no noble Lord present, in or out of administration, would, he hoped, venture to say, that we were at present in a state of strength and preparation to attend to those several objects. Was it a fair way of judging what we were equal to, by what we had

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already done? If that was to be the test, surely our situation was truly deplorable. What had we done, after three years exertion of our whole strength both by sea and land? We had been defeated, or baffled, which to us was equivalent to defeat. We had lost one army, and perhaps, in a few months might lose the other. But who had been our adversaries? A people who had been represented as poltroons and cowards.

After reminding the King's servants of what he called their invincible obstinacy, in adhering to measures, the evil consequences of which had been so often foretold, he animadverted on what had, in his opinion, been so improperly called the conciliatory bills. The very day the motion was made by a noble Lord in the other house, for leave to bring in his first conciliatory bill, the noble Duke in the blue ribbon near him (Grafton) reminded administration, that an honourable member in the same house (Mr. Fox) informed the minister, that this treaty had been signed the 6th of the same month; and asked, if any one of the ministers had heard any thing of such a treaty? On which the noble viscount, who now moved the address, said he had not. Taking this answer either way, he contended, that ministers were equally to blame. If they knew the report to be true, what a farce was it to hold out terms to America, already united to France by treaty! If they did not know of it, was it not the most unequivocal proof of their total incapacity? America would laugh at the folly and flimsy cunning which dictated those bills. The truth was, France and the colonies were in alliance. Nothing we could now do would be sufficient to break it, unless we declared America independent, and unless we held out advantages in commerce which would render our offers acceptable; and such too as she could not obtain from any other nation. A declaration of this kind might not perhaps repair our injured honour, but it would secure much more substantial benefits. He observed, that in the midst of the most glorious successes this or any other country ever experienced, when we had the two most powerful monarchies in Europe to contend with, nay, indeed, almost all Europe; and when our success and territorial acquisitions increased in proportion to the number of our foes, and the formidableness of the resistance we met; in the very zenith of our naval glory and military victories, the main argument for making a peace was, the low price of our stocks, and the inability and ruinous expence of prosecuting a war carried on in so extensive a manner. What is the case now? without an ally, baffled and defeated by a part of our own subjects; half exhausted, we are going to enter into

into a war with the same great powers, and that for an object impossible to be attained by the force of arms. Here his Lordship computed the several sums borrowed for the three last years of the late war, which he said, were twelve, eighteen, and twelve millions. The first of those years we borrowed at four, the next at four and a half, and the last at five per cent. whereas now before the battle is begun, and when we want to borrow only six millions, we are obliged to pay upwards of five per cent. This, he said, must shew all the living friends of the late peace the madness of going to war. The Marquis ascribed every one of the disagreeable circumstances which pressed upon this country, to the ignorance, wilful inattention, or shameful servility to the instructions of those who dare not avow themselves of the ministry. France, whatever ministers pretended, or might still continue to pretend, acted her part without disguise, and it was evident that in her present notification she laughed at the British ministry.

Duke of
Richmond.

Duke of *Richmond* said he was astonished at the silence of ministers, one of whom had moved an address, the consequences of which might involve the nation in ruin; yet had declined to offer a single reason in its support. It imported nothing less than a declaration of war on our part; before their Lordships, therefore, acceded to so hazardous a proposition, he thought it behoved ministers to inform the parliament and people, how far we were prepared for such an event; to acquaint their Lordships with the state of our finances, the strength of our armies and fleets, the general resources in men and money, the number of our allies, and their ability to assist us. It was not because France had acted treacherously or unfairly; it was not because she had insulted us, and treated us with derision and contempt, that we should rush headlong on certain ruin; we should first look to the object, to attain which, we were about to plunge ourselves into a war with the united power of the House of Bourbon, aided by a third part of our own subjects; and follow it by another consideration, the possible consequences of miscarrying in the attempt, and bringing certain destruction on our own heads. What then was the object? Most certainly the recovery of America.

Would any one Lord in administration rise and say, that there was the most distant prospect of recalling America from her engagements with France?

His Grace then entered into a comparative view of the state of the army and navy, with those we were preparing to contend with; and observed, we had lost nearly 24,000 soldiers, and upwards of 4000 seamen and marines, and had spent twenty millions

millions of money to worse than no purpose; because, besides France and Spain, we would have America to contend with. Supposing, for argument sake, which was the case the last war, that with America we were a match for the House of Bourbon, yet, when America should be thrown into the opposite scale, we would be a match for the whole three; if any man could work himself up into so preposterous an expectation, bounded upon so absurd a conclusion, he pitied him, but must decline to argue with him.

In a choice of difficulties, what then was to be done? For his part, he would, instead of sending out commissioners to no purpose, arm them with powers to declare America independent, if they chose it. This would be the only means to avoid a war, in the first instance, with France; and the best method to secure the friendship and commerce of our colonies. For to him two things appeared equally certain, which were, that all we could ever expect from America was a friendly alliance, founded in reciprocal commercial advantages; and that, if we declared war, which the present address imported, America would find herself bound by every tie and motive of honour, interest, and sound policy, to faithfully and rigidly adhere to her engagements with France, as being the cause of that war.

His Grace condemned the language held by some Lords in that House, in throwing the blame upon the generals and commanders in America. But such language was used sparingly there, in comparison to the pains taken to circulate such opinions without doors. He said General Howe was a great and able officer; that the fault was not in the execution, but the plans; and that he had performed every service he was sent upon.

He took up the message from the table; and after saying he should consider and treat it as the House always considered the speeches from the throne, viz. as the work of the minister, he read it, and objected very forcibly to the warmth of the expressions, declaring, that in his opinion France had done nothing wrong in coming into such a treaty as she had made with America. That she had patiently waited from the 5th of July, 1776, to the 6th of February, 1778, almost two years, before she would come into any sort of compact with America. That, now she had found it convenient and right to do it, she had done it without excluding Great-Britain from a share of the American commerce, and in such a manner that it was not a necessary consequence for a war to ensue, unless Great-Britain provoked one. The notification

of this treaty, made by the French ambassador, also had not one angry word in it; there was no necessity for us therefore to commence a war; the nation was in circumstances every way unfit for such an undertaking, and if peace could be preserved without an injury to the honour of Great-Britain, it was an act of madness to go to war. He said further, had he been to advise his Majesty, he certainly would have advised him merely to state the fact to Parliament, and not by any means to have done it in the language of passion. As the matter stood, he thought the wisest way would be not to echo back the message, but in the address merely to say, that "their Lordships were on all occasions ready to support the honour and the dignity of the crown."

Bishop of
Oxford.

Bishop of *Oxford*, after apologizing for a man of his profession taking part in a debate in which war was the subject, observed, that in another House of Parliament, his brethren had been said to have been cloathed in blood; in answer to which remark, he should content himself with declaring, that the speaker of it was not eloquent, in so saying. His Lordship spoke to the origin of the American war, and said, though representation and taxation had been denied to be correlative terms, he had, after mature thinking, found out a proposition that was correlative, and that was taxation and protection; the former not to be paid as the price of the latter, but to be agreed to as the means of enabling this country to afford the latter.

Earl of
Coventry.

Earl of *Coventry* replied to the right rev. prelate, by reminding him of a portion of Scripture, which recommends to a prince before he goes to war, to consider well both his own strength and that of his adversaries; and if, by a comparison, he should find the scale preponderate against him, then to do every thing in his power to conciliate, and promote peace with the enemy. He begged that his Lordship would make the application.

Bishop of
Oxford.

Bishop of *Oxford* rose again, and thanked the noble Earl for reminding him of the resources of the kingdom, which he declared he had in his head when he rose to speak, but from the suddenness of his speech they had escaped him in the course of it. [This threw the House into a roar of laughter.] Great-Britain, he trusted, was not without resources; he was sure, if the extravagances of all ranks of people were retrenched, enough might be saved to carry on the war; enough to build a fleet large enough to protect this nation; might be saved, even from the profusion of their Lordships, from the vast sums which some of them so idly wasted. The

Bishop

Bishop declared he did not mean in the article of living, table, &c. but another matter, which—he would not mention.

Earl of *Abingdon*. I rise to express my utmost indignation at what I have this day heard from his Majesty's ministers.

Earl of
Abingdon.

My Lords, his Majesty is betrayed, this House is trifled with, the nation is insulted; but I hope, my Lords, this House has not lost its resentment, and that Englishmen will no longer bear the treatment they have met with. It is not more than twelve days past, that ministers told us that no treaty was signed between France and America, and that they had every assurance of peace with France. And now, my Lords, we are told by those very ministers, that a treaty is signed between France and America; and, by a message from his Majesty, we are called upon to go to war with France. Is this possible, my Lords? A war with France!—Yes, and with Spain too. Unable to cope with America singly, we are to have a war with France, and with Spain united; as if in our very weakness consisted our strength. This is madness, it is desperation, it is folly. No, my Lords, it is neither; it is wickedness; this country is sold to France. When suspicious men leave their duty and their office here, and unofficially take journies to Paris, there is something more than suspicion in this. If this country becomes a province to France, as I too much fear it will, that infamous family of the Stuarts may again be seated on the British throne. My Lords, there is no other key to open the mystery of these measures; and I am not single in my opinion; the eyes of many see it in the same light; and I could wish it to become the subject of your Lordships' attention.

Earl of *Shelburne*, after saying that the declaration delivered by the French ambassador was of such a nature as to render it almost impossible to avoid a war, asked how we were prepared for such an event? Without fleets, without armies, without allies, and without resources, what was to be done? Ministers had not a moment to lose; they must instantly set about adopting measures suited to the present exigencies of affairs; they must not only get a sufficient force ready to begin the war, but by reviving the spirit of the constitution, by dropping every inferior, petty, clerk-like system of government; by rendering the operations and plans of the cabinet obvious, clear, and transparent, so that all who run may read, they must regain the confidence of the people, without which they could neither prosecute the war with vigour, nor hope to end it with honour. Above all

Earl of
Shelburne.

things, he advised them to drop the scandalous exertion of undue influence, to relieve the people from the burden of corruption, and to advert to an expression, a beautiful expression, which he had met with in the Parliamentary debates of former periods, and which fell from the mouth of a noble member of that House, *viz.* "That every weight taken off the nation gave her wings." Thus by lightening the pressure upon the people, they would have power to exert themselves; their antient spirit would revive, and entering into the war with chearfulness and alacrity, they would pursue it with vigour. The bank of England must be considered; every possible means must be exerted to assist the bank and keep up the public credit. Sleeping and waking he had it ever in his mind, and Dr. Price, with whom he had frequently conversed on the subject, had convinced him of the urgent necessity of making the bank a primary object of national attention and support.

After going through the various points, in order to enable us to maintain the war successfully, his Lordship took occasion to throw out some exceeding severe remarks applicable, he said, to a certain law lord, [Lord Mansfield. He said when he was last in France, he had a long conversation with a churchman, and among other matters, politics came to be the topic; when the priest declared, that his profession was of all others the best for a statesman, for that whenever a churchman had by his intrigues and adventures as a politician, put the kingdom in danger, and thrown the public concerns into confusion, he had nothing to do but to retire to his church, content himself with the parade that situation afforded, and lie snug till public matters having taken a different turn, and recovered their former prosperous condition, it was safe for him again to step forward, and once more become the state pilot. His Lordship said, he feared another profession in this country followed the same idea, and practised exactly what the French churchman had mentioned to him; he meant the law. Were our judges solely employed in explaining the statutes, and distributing justice in the courts below? Had no one of them busied himself more in political projects than in the duties of his profession? In his opinion the office of judge was a most important one, and so weighty was the duty, that no other avocation should be suffered to interfere with it; least of all that of directing the helm of government. If judges could with safety turn state Quixotes, and from motives of vanity and the hopes of aggrandizing their names, indulge them-

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of themselves in mad schemes and absurd projects, till finding the ruin of their country to be in prospect, in consequence of their politics, they thought it necessary to slip their necks out of the collar, and retire to their courts, he should be one to say, that the act which rendered the Judges no longer dependent on the Crown, and which had been regarded as a praise-worthy statute, was the most pernicious and fatal to the essential interests of the people that ever passed in this country. He affirmed, if such a traiterous conduct was permitted to go unpunished, the act for rendering the Judges independent of the Crown, instead of being the greatest blessing to the nation, would prove its greatest curse; because on a change of administration such men might formerly be removed; whereas now they may retain their places, unless some special delinquency should be proved against them, which was not always practicable.

His Lordship differed from the Duke of Richmond respecting the propriety of preserving peace; declaring he thought, circumstanced as we were, that war must be pursued. He said he would not cant, nor did he mean to preach to their Lordships, for that was the office of the clergy; not that he thought the right reverend Lord who had spoken in the present debate had given a good answer to the charge of the bench being cloathed in blood, by preaching up a spirit of unanimity for war. The right reverend Lord had mentioned one species of resource; he would beg leave to recommend another, and that was to lop those drones of society, the church benefices; he did not, he said, here allude to the bench, he meant only the golden prebends, and those church officers, who, having no parochial connection, lived a life of idleness and inutility; who gained great wealth without doing any service to society.

The Earl concluded with declaring that he was an advocate for peace, if it could be procured with honour, which he did not think possible. So far, however, was he from wishing to be thought an advocate for war, he would neither give his vote as an affirmative to the address, nor as a negative for the amendment.

The question was put on the Duke of Manchester's amendment, when the contents were 34, proxies 2, total 36; and the non-contents 84, proxies 16, total 100.

As soon as their Lordships returned from below the bar, Lord Ravensworth made some very severe observations on the conduct of ministers, in not offering a single syllable in support

Lord Ravensworth.

port of the motion. He observed that there was a very full and respectable bar; and he doubted not but it would go out among the body of the people, in what a contemptuous manner ministers had dared to treat the King's message.

Lord Weymouth.

Lord *Weymouth* replied, that if this censure was principally intended for him, he did not think himself nor any other Lord in office in the least deserving of it. He could, however, answer for himself, that his silence proceeded from no disrespect, either to his Majesty or that House; but merely because he thought there was no occasion to support a measure by argument or elucidation, which, from the tenor of the paper, became an act of necessity. The main question was then put on the address; contents 68, non-contents 25.

March 18, 19, and 20,

No debates. Adjourned to the 23d.

March 23.

Lord *Weymouth* presented the following message from the King:

"The French King having by his ambassador given notice to one of his Majesty's ministers of his having entered into a treaty of amity and commerce with America; and appearing that the military preparations in France have been considerably increased; his Majesty, from his parental care and concern for his people, and his wishes to provide every means in his power for their defence, and the defence of his kingdom, thinks it necessary to acquaint their Lordships of his intention, in conformity to the power vested in him by several acts of Parliament, to call forth and embody the militia of the kingdom whenever occasion shall require."

Lord Weymouth.

Lord *Weymouth* again rose, and moved, 'That an humble address be presented to his Majesty, to return him the thanks of this House for his most gracious message; and to express the sense of his goodness and the parental care and concern for his people, in providing every means in his power that may tend to their defence; and in his intention to call out and assemble the militia, if it shall be found necessary for that purpose.' Agreed to.

The House went into a committee on the state of the nation.

Duke of Richmond.

The Duke of *Richmond* began with enumerating the several benefits which had resulted from the enquiries of the committee, viz. the ascertainment of the state of the army, the state of the navy, the general expenditure in consequence of the American war, and a particular investigation of

of that expenditure ; he declared that he thought it was
ing to the committee that ministers had so far been
ought to their senses as to set about something like an at-
tempt to accommodate matters with the Americans, and to
prepare a plan, which, however inadequate it might be, in
his opinion, it was certainly a plan of conciliation, inasmuch
it gave up many of the most obnoxious points in contest
between this country and America. He assured their Lord-
ships, that the main object he had in view, when he moved
for the committee before Christmas, was to lay a foundation
for proposing and adopting such measures as were most likely
to promise respect and reputation abroad, and a re-union with
the revolted colonies. The consequence of the enquiry, so
far as had yet appeared, went clearly to prove that our land-
force was totally inadequate to the purposes of either an of-
fensive or defensive war ; our trade had been most materially
injured ; such of our dependencies as we still retained pos-
session of were in a most ruinous, unprepared, and defenceless
condition ; and our naval force on different sides of the At-
lantic ; and, he feared, far from being in the flourishing state
it had been so repeatedly described in that House since the
commencement of the present session. He was happy, how-
ever, to discover, that our military force within the kingdom
was much strengthened since the returns were made, on
which, in the early stages of the committee, he had framed
his resolutions. By the last returns on the table it appeared,
that the old corps were become nearly complete, consisting of
10,000 men, and the new levies already amounted to 8000,
and would probably at a very short period be quite full, which
would amount to an additional force of 15,000 men.

The public, he observed, were much indebted to a noble
duke [Bolton] whom he did not see in his place, for that
part of the enquiry into the state of the nation which he had
undertaken, namely, the navy ; which, according to the
language of ministers, was our great national bulwark. His
Grace then mentioned the King's message on the French
ambassador's rescript ; and repeated his declaration, that he
was sorry to see the message couched in terms of warmth
and anger, and still more sorry to see their Lordships take
the business in the same stile of resentment. More-
over, to support this opinion, the Duke desired their
Lordships to look back to their own history, and see what
had been done on similar occasions. Queen Elizabeth, the
most

zealous for the preservation of the national honour of the crowned heads who had possessed the throne of the kingdoms, assisted the Huguenots with one hundred thousand pounds and six thousand men, although the Huguenots were actually the subjects of France, and were then in open arms against their sovereign. A remonstrance took place, but no war ensued. The same Princess, when in perfect peace with Spain, assisted the confederates with a large sum of money who were then endeavouring to throw off the Spanish yoke and, what was more, Elizabeth, in her notification of the fact to the Spanish court, expressly said that she lent the confederates the money, and assisted them with the men, out of her love and affection to her good friend, the King of Spain having no other view but to preserve the states for him, and prevent their throwing themselves into the arms of France. This pretext, his Grace declared, was not much relished by the King of Spain; however, that monarch thought it prudent not to take any serious notice of it, and no war broke out between the two kingdoms for some years. His Grace said the treaty entered into between France and America was certainly a defensive one, as it stated that France was determined to protect her commerce with America; a matter obviously the consequence of her treaty, that it was exceedingly unnecessary to have stated it in her notification to the King's servants, and he heartily wished it had not been stated. If we attacked France, America was bound in honour to assist her against us; and if we could not conquer America singly, when joined with France, there appeared to be but little hopes of our success: he begged their Lordships, therefore, maturely to consider the consequence of rupture with France, on the ground of the treaty; repeating, that commencing a war upon such a ground would not only confirm the independency of America, but put an end to all hopes of reconciliation with her on any terms.

His Grace next came to a consideration of what was proper to be done in the present situation of public affairs; and earnestly pressed the ministry immediately to put the nation into a respectable state of defence. He said he highly applauded the measure of calling out the militia; but observed that many other matters were also necessary to be done. For the best way of learning what was necessary, he had looked back to the time of Queen Elizabeth, and seen what measures were taken when this country was threatened with an invasion by the famous Spanish Armada. At that time we had

an army of 40,000 men in the kingdom; and yet it was thought prudent to take a great variety of other measures for the public security. Engineers were sent down to fortify the vulnerable parts of the sea coast, forts were erected at certain distances, beacons put up in order to give signals to the army, the militia divided into different bodies, and marched to various parts to be ready at a moment's warning, and special directions were given to lay the country waste for a considerable extent wherever the enemy attempted to land, in order to check their progress, and to prevent their receiving any other subsistence but from their ships. Had any measures like these been taken? Had engineers been sent into the different maritime countries to mark out entrenchments, and to plan such sort of fortifications as the situations of the respective places made necessary? A general officer ought to be deputed to assist the Lord Lieutenant of every county; for a civil officer, however willing, however able in other matters, could not so well judge of the proper measures to be taken by an army as a military man, accustomed to service. Much remained to be done besides merely calling out the militia.

His Grace said he should now come to the subject matter of his motion; which he said the necessity of the times called for so pressingly, that he hoped it would at least meet with no resistance from any one of their Lordships. The want of frigates, in case of a war with France, was so obvious, that it needed no argument to shew the prudence and propriety of getting some of them home: indeed, without them we could do nothing; for notwithstanding there might be many large ships fit for sea at home, he was well assured there were not seamen enough in the kingdom to man our navy; the reason was evident—so great a number were now on board our fleet in America, and on board the innumerable transports there, which had been sent out partly to carry the army, and partly to victual that army. As a proof of the difficulty of procuring seamen, his Grace said there had last week been an exceeding hot press on the river, when he understood no more than five hundred seamen were got, and of them a very large number were of necessity returned. Here the Duke recur- red to his former arguments respecting the independency of America; urging our acknowledging her independency, as proper, and indeed the only probable, means of accommo- dating our impolitic and destructive differences, and decla- ring that this country had still many friends there, who,

upon our taking such a measure, would be furnished with a strong argument in our favour; and, by being enabled to convince their brethren that Great-Britain had done every thing which throughout the quarrel they had said they desired, would, he doubted not, wean them from all thoughts of a connection with France, and induce them to make an honourable and lasting alliance with Great-Britain.

His Grace concluded his speech with the following motion
 “ That an humble address be presented to his Majesty, to desire that he will be pleased to give orders that all his ships of war and land forces be immediately withdrawn from the ports and territories of the thirteen revolted provinces, and disposed of in such manner as to his Majesty in his wisdom shall seem best calculated for the defence of the remaining parts of the empire, in the difficult situation in which we are unfortunately placed, humbly beseeching him to take into his particular consideration the condition of England and Ireland to repel a foreign invasion; and imploring him to take the most speedy and effectual measures for providing for the security of these kingdoms.”

Earl of
Sandwich.

Earl of *Sandwich* said, that there were many objections to the motion at this time; whether it might not be proper hereafter to adopt the measure recommended by the motion, was more than he could pretend to determine. He differed widely from the noble Duke, as to the manner, as well as the time; for granting, in argument, that the troops ought to be withdrawn, this House was not the proper place to declare it. Such a measure, thus publicly recommended, might furnish the means to our enemies of defeating it; therefore, whether proper or improper, he should oppose it, on the ground of its expediency, and move the previous question, or, which amounted to the same thing, that the chairman do leave the chair.

As to the press of Tuesday night, alluded to by the noble Duke, his Grace was perfectly right in his assertion, that several persons pressed, when they came to be examined, were discharged. It was impossible to know seamen in the dark. The laws in being have created several exemptions, even where seamen are in the case. Boys under such an age; men past fifty; those concerned in the Greenland trade, and in our fisheries; and some in other cases, are exempted: consequently, when a warm press takes place, numbers are discharged. But be the number of persons pressed in the river what they may, they formed but a very inconsiderable part of the number of men procured since the prospect of an approach

approaching war. Many ports in Great-Britain and Ireland have produced great numbers in the course of the late press; and he could affirm, from his own knowledge, that there were more able seamen pressed at Portsmouth alone, than in the river Thames, on Tuesday last. After all this, he was ready to acknowledge, that there was a great scarcity of men, though no means whatever had been left untried by him to remedy that defect. It might be asked, how it happened that seamen came to be scarcer now, and more difficult to be procured, than at any former period? He knew none but one, which was what had been asserted in argument by several noble Lords on the other side; that we had not, as on former occasions, any American sailors, those, including the prisoners taken by the American privateers, with the crews of those privateers, amounting to 18000; which, if we considered that those men were employed against us, made a real difference of 36000 men. If this was not the cause of the want of seamen, he was at a loss to guess; but the fact supported the assertion, that they were actually scarce. He was still of opinion that we had ships enough ready for sea, but was ready to acknowledge that ships without men were of very little service. With regard to the want of frigates at home, there was no denying it; they were wanted, wanted extremely; but would declaring that want to all the world make it less? Would it not be more prudent to conceal that circumstance from our enemies, than, by revealing it thus publicly, instruct them to avail themselves of that particular weakness?

After this he went into a general review of those parts of the Duke's speech in which his Grace had stated the weakness of the kingdom, and after thanking him for having forbore to make too close an investigation of the state of the navy, remarked, that it was every way imprudent to tell France where the kingdom was least defended. Upon this ground he censured the observations of the noble Duke, as to the declaration which his motion carried in it, that England and Ireland were not in a fit state to repel an invasion. Is it, says he, politic to state to our enemies where our coasts are vulnerable? Is it prudent to declare that we are unable to repel an invasion? And, if the fact were as the noble Duke has stated it, is it wise to court an invasion? I thank God, I fear not an attack from France, but I certainly should be easier in my mind, if I was convinced she had no hostile intentions against this country at present. His Lordship declared that the declaration from France was insulting and offensive; that

ministers would have been highly culpable, had they not shewn a spirit of resentment; but that nothing had been done on their part, since the receipt of the King's message which wore the face of irritability, or could be construed into a design to provoke a war with France.

Duke of
Richmond.

Duke of *Richmond* replied, that the noble Earl's speech confirmed, in so many words, almost every syllable he had said in behalf of the present motion—What, again, was the noble Earl's repeated boastings relative to the formidable state of our navy come to? That we had ships, but that we could not procure seamen to man them—most melancholy tidings, indeed! He remarked, that the noble Earl had paid him a compliment which he did not feel himself conscious of meriting; he could not accept of it, therefore, without declaring his ignorance of his being in the least intitled to it. The noble Earl had thanked him for saying so little about the state of the state of the navy. The reason of his being so short upon that subject, proceeded not from any intention to stifle any thing he knew; not because it would not have been prudent, at this critical moment, to expose our weakness, on which he had so frequently given his sentiments; but merely because the noble Duke [Duke of Bolton] who had managed the enquiry into the state of our navy a few days since, had gone so fully and so ably into the subject, as to leave him little or nothing to add upon it.

The only appearance of a national objection made by the noble Earl, was, not against the motion in point of necessity, but on the ground of policy and expediency---the mode in which it ought to be carried into execution---under the impervious colour of secrecy and silence. His Grace laughed at such mock caution; as if our fleets and armies could be ordered home, or to other stations offensive or defensive, without the previous knowledge of the French court.

He thought, that the silence of ministers was extremely culpable. He called upon the noble Lord at the head of the admiralty to declare, whether our navy was in such a state as to protect our several dependencies; because, if it was not, most certainly it was alone a full reason for strengthening those parts which immediately called for protection; and which protection could not, in the moment, be procured. For instance, he would be glad to know, from the noble Lord, if our naval force in the East or West Indies was equal to the united force of France and Spain in those parts. If it was not, those places were at this instant at the mercy of these powers. He had strong reasons to believe, that the first blow would

would be struck in the eastern or western world. A considerable number of additional troops had been sent to the French West-India islands the year before last; and he was assured, by a person of veracity, lately returned from the East-Indies, that the French navy was much superior to ours in that quarter of the globe. The whole argument then turned, he said, upon the confidence ministers were entitled to. They have hitherto deceived us; they have brought us into our present lamentable situation; but they must not be directed as advised; because their past mismanagement, ignorance, blunders, and incapacity, is a sufficient pledge to us for their future ability to rescue us from the various dangers and threatened ruin which is now ready to burst upon us, and end in the total destruction of this country. He concluded with complimenting a noble Lord in a red ribbon [Lord Amherst] on his being called into the cabinet; and congratulated the nation on the circumstance, as the most likely to promote its most essential interests. As he understood the noble Lord would command the army in England, and would probably have the command of the forces to be employed against the enemy, if a landing should be effected; notwithstanding he had the highest opinion of the noble Lord's wisdom, experience, and ability, he would take the liberty of giving him a piece of advice, and that was, not to suffer his judgment to be run away with by the vulgar idea of fighting the French the moment they landed, and driving them instantly back by a battle; but to consider that if a battle was lost, under such circumstances, the kingdom was lost; and that by wisely delaying to come to an action, he might, like another Fabius or another Washington, prove the saviour of his country.

Duke of *Manchester* said, that men who had by their treachery Duke of
to their country, or their blunders, plunged it into so calamitous *Manchester*.
a situation as she was at that instant, ought not to be trusted a moment longer. His Grace declared, that from the fullest conviction of what he now affirmed, he had been reduced to the necessity of standing in the odious light of a personal accuser; and had accordingly moved to address his Majesty, to intreat him to dismiss his servants, as no longer worthy of remaining in their public stations: that the same reasons which had induced him to make the motion still pressed upon his mind with additional force; for he could not entertain a momentary hope, either of reconciliation with America, of an honourable peace, or successful war with France, while those men, who had broke the ties of affection and duty which united America with Great-Britain, remained in office; and

and he should conclude with an observation, often made, but of which every day's experience afforded some fresh proof which was, the irresistible and all-powerful influence, which was sufficient to maintain such men in place, against the feelings and discernment, the hearts and understandings, of an insulted, disgraced, and, he feared, an undone people.

Marquis of
Rockingham.

Marquis of *Rockingham* said, though it had been asserted that our fleet now ready for sea was fully equal to the protection of our coasts and the channel; was it so in respect of our dependencies? Had we at present a force sufficient in the East and West-Indies? Or, besides defending our coasts, for convoys for the security of our trade? So far from it, that he had heard one of the East-India directors lately assert, in another place, that the chairman had been instructed by the court of directors to apply to a noble Viscount in high office over the way [Weymouth] by letter, stating their fears for the Company's possessions, and desiring an additional naval force; but the answer was, that none could be spared, or that none was wanting; and that but a very few days before the offensive declaration, which is now agreed upon by all sides of the House, in or out of office, to be tantamount to a declaration of war, and must of course be productive of one. He was severe on Lord Sandwich, on his affected secrecy and prudence relative to recalling the troops. Did the motion point out any particular destination for them? Were they to be ordered home to Europe, or did the motion express a wish of the kind? But supposing that it had, could the noble Earl who moved the previous question point out the danger? He felt for the noble Earl's fears for the consequences; and supposed that they originated from the same motives of other great wits, "that they might be cut off on their return by an ambush at Knightsbridge, or would be happy enough to get home safe in disguise."

The Marquis said, he was well pleased to hear that a noble Lord in his eye [Amherst] high in his profession, and who performed such essential services for this country in the course of the late glorious war, under a Whig administration, was appointed to the command of the forces, and called into situation to advise in his Majesty's councils, in all matters relative to his profession. He knew the noble Lord was in principle a Whig, and he took the liberty of recommending to him, to be influenced by no extrinsic consideration, not to suffer himself to be thwarted or over-ruled, contrary to his own good judgment. He understood that another brave officer had accepted of the command of the fleet; was glad to hear

1778; because he was perfectly convinced of his eminent talents, integrity, and high professional abilities; and if he should be called into a more exalted station, could his active services be dispensed with, it would still give him greater pleasure; because he was satisfied, by long, and latterly by fatal, experience, that no man was fit to preside over the admiralty department, but a real seaman, regularly bred to the profession. He hoped the neglect shewn to a lately deceased friend of his [Sir Charles Saunders] an ornament to society, a great and experienced officer, as well as an honest man and a steady patriot, would prove a sufficient warning to all those who may be called upon in the moment of difficulty and distress.

Duke of *Grafton* said, the crisis was such as justified the interference of every honest citizen who had any stake to lose. The public were intimately concerned in the event of the present measures. Every thing dear to them, as men, or citizens, was committed. The consequences of those measures would decide whether they were to possess their liberties and properties. If ministers were continued in power, who had proved themselves weak, wicked, and detestable, the people were justified to call on that throne [pointing to the upper end of the House] for redress, for a dismissal of such ministers, and for the punishment due to their crimes. It was the duty of the Sovereign to dismiss such men. The nation was patient, he feared too much so, under the various ills they suffered; but the time would come, and he believed was not far off, when their resentments would blaze out with a vigour proportioned to their former forbearance and repeated provocations.

He would ask the most zealous friends and supporters of the present administration, if there was the most distant prospect of any one measure succeeding in the hands of the present administration. Ministers were indeed honest enough not to pretend it. They had, in this instance, given one proof of their modesty and candour; they were silent. Are you able to conquer or conciliate America? Are you able to defend the several dependencies of the British empire? Are you more than a match for France and Spain in the European seas? Have you one ally on the continent of Europe? The answers to all this are reducible to a tacit No. They virtually reply, no, because they decline to answer.

His Grace observed, that the language of the noble Earl was the most extraordinary he ever heard. It amounted fairly

fairly to this; we have been mistaken in every opinion formed in private or declared in public. We have brought our country to the brink of ruin. We confess it is not in our power to extricate it from the various calamities under which it suffers, and the much greater ones with which it is threatened; but we must remain in place, because somebody has said so. His Grace next lamented the fatal effects of influence; whence, he said, all the public calamities had originated. The impropriety of displacing ministers without any proof of delinquency, he observed, was much urged both without and within doors. He denied that dismissal implied guilt; it might imply incapacity, and that not always. Want of public confidence, not being able to command the hearts and purses of the nation, might be a good cause of removal. But this argument conveyed a very extraordinary idea; no less than that every man in office had a right to possess his place as a matter of property, and when displaced suffered an injury. This was a mode of reasoning he could never accede to. The emoluments of office were supposed to be given for public services in stations and offices: when therefore, all further services terminated, there the claim likewise ended, and the party dismissed had no right to complain. He could speak from experience. He was once in a high responsible office himself; and maintained opinions both in the House, and elsewhere [in the cabinet]. Those opinions perhaps, were not approved of. No matter whether or not he was dismissed from his office; yet he never understood nor felt his dismissal as an injurious act, or as conveying any imputation of guilt.

He was sorry to disagree with the noble Duke, as to his sentiments respecting our conduct towards France; for whether America be or be not declared independent, he looked upon war with France as inevitable.

He said, it had been reported for some days past that he was coming into administration, and to preside at the head of the admiralty; he believed the report to be ill founded; he would answer that it was, so far as he knew; but if any such promotion was really in contemplation, he heartily united his opinion with the noble Lord near him [Rockingham] that a seaman should always preside at that board; and expressed his hearty approbation of filling that important office with the very able seaman [Admiral Keppel] alluded to, if his professional services could be dispensed with.

His Grace concluded with saying, that although there was a general in the cabinet, and he hoped there would be soon a seaman at the head of the admiralty; yet without a total change of men in the other high departments of the state, as well as system, no good was to be expected; we should still, he feared, have nothing but assertion one day, recantation a second, and despondency a third. A majority in cabinet would always have it in its power to defeat, counteract, or over-rule the best digested plans, and the wisest measures; consequently, till the present men in power were removed from a possibility of doing mischief, we should still continue to be governed by a succession of pitiful expedients, no less weak in their texture, than disgraceful and per chance fatal in their consequences.

Lord *Lyttelton* said the state of public affairs was very alarming and critical. Ireland was in a weak and defenceless state, and England far from being so well prepared as he could wish, he feared not sufficiently strong either in point of naval or military defence. Our affairs in the West Indies were truly deplorable, and in the East equally precarious, if not more so; and he corroborated this assertion by informing the House that he had been informed by a French officer lately returned from the isle of Mauritius, that when he left that place, there were no less than 8000 regular troops there and at the isle of Bourbon; a circumstance which was in his opinion sufficient to convince their Lordships that France meant in case of a rupture, to attack us in that quarter of the world. He observed every thing on the part of France denoted hostilities, and that if we were abject enough to put up with the insult, it was now too late to recede.

After giving this side of the picture, his Lordship held up the reverse; the noble Lords on the other side, he observed, had expressed their fears of an invasion, as an event likely immediately to take place, yet however they might differ in other respects, Whig and Tory he was certain would unite on such an occasion; they would, he trusted, be unanimous in opinion, that if the French landed, they should be instantly attacked; and he did not doubt but they would readily hazard their lives and fortunes in the attempt to repel that foe who should have the temerity to invade Great Britain or Ireland. He could not hear, without some degree of astonishment, the language held by a noble Lord in administration [*Sandwich*] which fairly imported, that we were not in that state of naval strength and preparation, of which his Lordship had given so many repeated assurances to that House. He did not

doubt but we had a great and respectable navy; but he did hope, that his Lordship would verify what he had so often said, that our navy should be at all times, at least equal, if not superior to any force France and Spain united could be able to send against us; or that we should be always prepared, in the language of the noble Earl, to cope with the whole power of the House of Bourbon.

The noble Duke who made the motion, he said, founded it chiefly on the supposition, that America would not treat with us, but adhere to their vote of independence, and the measures necessary to form themselves into so many independent states. He, for his part, thought otherwise. The colonies two years since, it was insisted by the noble Duke and his friends, would have acceded to terms short of those held out by the conciliatory bills; and he saw no reason why, if the assertion was true then, that it should not be so still. Another reason assigned by the noble Duke, for urging the necessity of withdrawing the troops was, that they would be wanting at home to defend us from an invasion; he believed that would be the last desperate experiment France would make. This bugbear had often been held out *in terrorem* but now, at the end of a century, since this idea began to prevail, no instance of such an attempt had happened.

Earl of Effingham.

Earl of *Effingham* closed the debate, and pointed out the necessity of strengthening Canada, both on account of the disposition of the inhabitants, the weakness of the king's force in that province, and the formidable power of the new England colonies, who could penetrate into it at pleasure, and without the least resistance. He lamented the state of the West India islands, which must, if attacked, fall an easy prey, as well as our new settlements on the Mississippi. To those several very important objects he recommended the attention of administration, and observed, though it would not perhaps be proper to point out the destination of the troops proposed to be withdrawn by the motion, yet, it was more than probable, that the noble Duke, when he framed his motion, had the security and protection of those valuable possessions in contemplation.

The question was put, that the House be resumed, where the contents were 56, non-contents 28.

March 24, 25, 26, and 27.

No Debates. Adjourned to the 30th.

March 30.

Private business.

Mar

March 31.

Earl of *Effingham*. Your Lordships having directed, in consequence of a motion of mine to this House, that the warrants of commitment and discharge of Colonel Ethan Allen, and the other Americans who were made prisoners with him, be laid on your Lordships' table; some papers have been accordingly delivered in: but, my Lords, among these papers there is no warrant of commitment to be found. It appears that these men were confined in Pendennis castle; and that, by a *lettre de cachet*, signed by one of the secretaries of state, in the King's name, they were banished from this country to America, to be disposed of at the discretion of the general there: but, my Lords, by what order, or by whose *mittimus*, or for what crime they were imprisoned, does not in any wise whatsoever appear. I rise therefore, my Lords, in conformity to my motion, and the order of this House, to desire that the warrant of commitment be, with the rest of the papers, forthwith laid on your Lordships' table.

Lord *Weymouth* said that he should apprehend that all the papers relative to that business were upon the table; and that if no warrant of commitment appeared, he believed that there was none.

Earl of *Abington* replied, I must confess to your Lordships, that, by the not producing any warrant of commitment, I did imagine that there had been none; and that these men were, (as it now appears) driven into Pendennis castle, like so many sheep into a sheep-fold; but, my Lords, whether there be or be not a *mittimus*, is of no consequence at all: for, my Lords, I am already possess of the fullest and clearest proofs of the most atrocious violation, in this instance, of the laws and constitution of this country, that ministers ever yet dared to be guilty of. And, my Lords, I must assure your Lordships, that when the proper time shall arrive, I will not fail to make that use of these proofs, which the duty I owe to my country calls upon me to do. In the present moment, all exertions of this kind are useless; but, I trust, the hour is not afar off, when, in order to reformation, punishment must necessarily follow.

The Lord Chancellor was just proceeding to read the order of the day, for the House to resolve itself into a committee to consider of the state of the nation, when the Earl of *Effingham* rose, and begged before their Lordships proceeded upon any other business, that he might be permitted to trouble them with a few motions which he had drawn out upon paper, in order to call forth documents which would enable the House

to ascertain the real state of the navy, and the mode of expenditure and application of the various large sums which had been voted for by the different departments of the naval service. It had been already proved, that the public money had been in more than one instance not more liberally voted, than lavishly spent. It behoved their Lordships, therefore, to look into the accounts presented to them with a wary eye, and by closely examining the several totals, to discover the propriety of each article of expenditure; to lessen for the future such as were larger than occasion required; and to put a negative upon such others hereafter as should appear to the House, to be altogether unnecessary. This he considered as an act of duty highly incumbent on their Lordships to discharge, and which nothing that could be offered would furnish a sufficient apology for omitting. It was however, in his opinion, totally impossible for the House to acquit themselves either to their country or their sovereign, unless they called for such papers as would supply those manifest deficiencies which appeared scattered throughout those already on the table. The motions he was about to submit to their Lordships, if agreed to, were calculated to supply that defect; and he had strong reason to hope, such being the important motives which operated upon him, that he would have the satisfaction of being equally supported from every side of the House. His Lordship then made the five following motions.

“ That an humble address be presented to his Majesty, that he will be graciously pleased to order the proper officer to lay before this House an account of the state of the ships in his Majesty’s navy, as delivered to the admiralty by the surveyors of the navy, in the latter end of the year 1770.”

“ 2. An account of the ordinary estimates of the navy from 1770 to 1778 inclusive.”

“ 3. An account of the number of ships broke up and sold together with an account of what they sold for, and also an account of the quantity of old stores, and the prices at which they sold.”

“ 4. An account of the buildings, rebuildings, and repairs of ships and vessels over and above those charged in the wear and tear of the year 1777.

“ 5. An account of the amount of stoppages of 4d. per man per month, as chaplains in those ships, that have no borne chaplains.”

As soon as the first motion was read from the wool-sack, Earl of *Effingham* rose and stated *de novo* his general reasons for troubling their Lordships on the present occasion. He observed

served that we had been now three years engaged in a war with only part of our own subjects; and had failed in obtaining the objects for which we engaged in it; nay, he feared, had lost the country totally, and instead of subjects, or even friends or allies, had caused the colonies by our impolitic, unjust, and cruel treatment, to become our most inveterate and implacable enemies. We had besides, as was a few days since ably stated by a noble Duke near him [Richmond] already incurred an additional debt of upwards of twenty-three millions, and were in the act of adding to that debt, even though we had no other enemy to contend with but America, at the rate of nine millions *per annum*, as long as the contest should last. Here he wished to make a pause, and remind their Lordships, that we were about to contend with another enemy much more powerful and dangerous, our natural rival and enemy, France. The noble Lords, if any there were, who might oppose this motion, acknowledged on the last day, their Lordships were convinced that war, though not formally declared, was in fact the same thing. If war then was, as he feared it must be, the issue of the offensive paper delivered by the French ambassador, we might without hesitation conclude, that instead of America alone, we should have France and America shortly to contend with; and it would be no great stretch of political speculation to say, that such an event might at length draw Spain into the quarrel, as an additional, and at such a crisis, a most dangerous adversary, and likely to be decisive against us. In such a state of things, what was to be done? Our finances were already as low as they had been at any period during the late war. We must borrow and fund, the consequence of which would be a further fall of stocks. Where then were our resources? For his part, he could see none but in retrenchments. To see, that our out-goings were fairly, frugally, and honestly expended. In his opinion, our savings in almost every department of the state, would be one of our surest and most substantial aids.

His Lordship next proceeded to shew, that a conduct, the very reverse of what he now recommended, had prevailed in almost every department of the state, since the commencement of the American war; and when applied to the particular department to which his motions were directed, ever since the noble Lord who presides at the head of the admiralty, was called into office. He would make no special charge, but many things appeared highly blameable in the conduct of that board within both periods, including in the whole nearly eight years, both on grounds of a neglect of duty and increased expence,

expence, without even the trite plea of necessity. Enough he was not backward to declare, to justify the strongest suspicions, that the business of the naval department, for some years past, had been made a matter of private jobbing, rather than that of fair and open bargain and sale: in fact, of having sacrificed the public interest, to the views of personal advantage, and private emolument.

His Lordship next proceeded to particulars, in support of his general assertions. He compared the official expence which formed part of the ordinary of the navy, since 1770, with what it had been fixed by an order of the King in council, in the year 1727, the last of George the First and in proof of his statement of the several *items*, ordered the clerk to read the order. He affirmed, that part of the ordinary appropriated for the payment of the civil officers, including the board, clerks, &c. amounted then to no more than from 34,000 and a fraction to 38,000, whereas at present, it was raised to 46,000. If any more Lords or commissioners had been added, if there had been any new officers created, if in short there had been any plausible pretence for such an increase, he should not have mentioned it, when there were so many other articles of so much greater magnitude; but the truth was, no such pretence existed; for instead of its being a gradual and natural increase of expenditure incurred, it was created all of a sudden. It was the work of a single year or single day. This increase of 12,000*l.* took place in the year 1773 without a single reason, or the colour of a reason assigned. From 1727 to 1773 this branch of the ordinary continued as it had been established, by the order of council already alluded to at 34,000, but in the latter year it suddenly rose to 46,000. But even supposing that the increase was justifiable, the mode of doing it certainly was not. The former order could not be revoked by a lesser power than that by which it was made, and it behoved the noble Earl who ventured to revoke it, as well to shew that such a revocation was necessary, as that he was sufficiently authorized to do it out of his own head.

He said, he could adduce proofs of an earlier date, to shew that the affairs of the navy always called for the inspecting eye of Parliament. Among several others he mentioned the period, when prince George of Denmark, the Queen regnant [Anne] husband presided at that board; that the expence then bore no manner of proportion to the present; and Parliament frequently, both then and at several precedent and subsequent periods since the Revolution went into the utmost minutiae respecting the state and condition of the navy, both concerning

the expenditure of the money voted for the naval service, and of the particular state of ships, in what degree of repair, how many were building, where stationed, &c.

His Lordship from this part of the ordinary, proceeded to consider the sum total, which he said, till very lately, amounted on an average to 200,000*l. per annum*; seldom more, and often so low as 170; whereas, at present it mounted to the monstrous sum of 430,000*l.* a year, and was yearly increasing. This led him to take a comparative view of the four years Lord Hawke presided at the admiralty board, and either of the four years since the present noble Earl's entrance into office, and endeavoured to satisfy their Lordships that there was a most rapid increase. From whence he drew this conclusion, that either the money voted for the naval service, had been most shamefully and criminally lavished, or, that our navy was upon a much superior and more respectable footing than it had been at any former period, which was a circumstance he most ardently wished might prove true; but which from every thing that had hitherto appeared he feared would turn out directly the reverse.

His Lordship observed next, upon the whole of the expence of the navy, ordinary and extraordinary, independent of what was voted for pay, &c. This he classed under three heads, ordinary, extraordinary, and navy debt, which he said, since the present first commissioner came to preside, amounted to ten or eleven millions and a fraction, a sum nearly double to what had been granted for the same service, either the eight preceding years, or any other period of the same duration, since we had a royal navy; and equal as had been more than once observed by two noble Lords of the first professional reputation [Duke of Bolton and Lord Bristol] to build an hundred men of war of the line, and a proportionable number of frigates, from the laying of the keel, to the fitting of them for actual service. He did not include the sum granted by the House in the latter end of the year 1770, at the time of the rumour of an approaching Spanish war, which amounted to half a million more.

His Lordship spake a considerable time of the constant repugnancy there was between the estimates of each year, and the actual expenditure. This, he affirmed, was a gross insult to Parliament; was full of fallacy and deceit. He pointed out several instances of money granted for the repair of several ships, though the same ships appeared again in the next year's estimate; and at the end of two, three, or four years, when the repairs or pretended repairs amounted to more than a ship

a ship of the same rate would have cost if she had been entirely rebuilt; her history was, that she had been broke up, or was sold, as totally unfit for service: so much for the expence of repairing the Hull; so much for masts; so much for rigging when perhaps she had never been in dock, nor had a single shilling expended upon her during the whole twelvemonths but probably appeared in the front of the estimate of the ensuing year.

After dwelling a considerable time on these circumstances he urged the pressing necessity, which, he trusted, all the Lordships felt for the papers, comprized in his motions, and declared, that so far was he from wishing to call forth any information which might tend to acquaint France with what she was ignorant of, or any of the enemies of Great Britain that he would chearfully consent to have his motions altered or qualified in such manner as to avoid a possibility of any ill consequence, which the noble Earl at the head of the admiralty might point out.

His Lordship next read a list of the several sums which still lay in the hands of the respective treasurers of the navy, since the commencement of the present reign, namely, Mr. George Grenville, Lord Barrington, Lord Howe, and the late Sir Gilbert Elliot. These he said amounted together to a very considerable sum, and he said it was an instance of great neglect, or something worse, that at the end of seventeen years not one of those accounts had been liquidated, or finally settled. The whole amounted to 150,000*l*. Lord Howe's to 37, and Sir Gilbert Elliot's to 113,000*l*.

On the third motion, that of the number of ships broke up and sold, and the prices they were sold for; he said, the admiralty board were quite silent; the public having received no credit for their amount, though it had from time to time paid such enormous sums for their repairs. The noble Lord at the head of the admiralty himself, had frequently asserted in the course of a few weeks, that a great many had been broke up or sold since he came into office; and as no notice had been taken of such sale or disposal, or the produce of what had been converted to other uses, under any description whatever, he thought it specially behoved the noble Earl to acquaint the public through the medium of that House; to do which the motion alluded to helped him with an opportunity to say what uses or purposes the produce of these condemned ships was applied to.

Having gone through the several leading heads, on which his motion was founded, he took a short but general view of

the state of the nation, and the critical and alarming predicament in which, he said, it stood, and affirmed that nothing could rescue us from the jaws of destruction but rousing the ancient, though for some time dormant spirit of the nation, or that spirit be possibly called into existence, but by a confidence in government. Besides, such a renovation of spirit, he could see nothing to assist us, but a rigid national œconomy, and faithful expenditure of the public grants. He had heard, indeed, a great deal of the flourishing state of our revenue, and of our internal opulence. He sincerely hoped it might turn out true; but supposing it should, he was convinced that the people would never act with alacrity or energy under an administration, in whom, either in point of integrity or capacity they could never be persuaded to repose their trust, whom they had on the contrary every strong ground to suspect of a shameful waste of the public treasure. In preference to almost every thing else, he recommended to their Lordships to adopt some mode, which might be productive of a reform in this particular, and to take care that such a reform should take place in the navy, which called for double attention; because, any gross neglect or malversation in that department, might prove fatal, if relying on it in the moment of danger, we should find ourselves disappointed. He once more recommended to the first Lord of the admiralty, as the best proof of bearing no part in the censure here thrown out against the whole board, to consent to the motions, or propose such alterations, as may be only necessary, in his opinion, to prevent any improper information getting to the knowledge of our foreign enemies.

Earl of *Sandwich* replied, that he heartily wished the enquiry had never been begun, asserting that he was perfectly convinced that what had come out in the course of the committee's sitting, and especially the papers relative to the navy, had been extremely prejudicial to the interests of this country; that the account of the cruisers and convoys which had been appointed, had in particular done the nation infinite disservice; that he foresaw the consequences when the motion was made for them, and had therefore given his opinion against it; that he never was more sure of any position, than that they had served as a lesson to France, where she might attack us, and where she might with the greatest probability of success attempt an invasion. The very same reasons which induced him to say thus much, the Earl said, were in full operation against his agreeing to the present motions, which he should object to, as tending to discover to our enemies, and all the world, what it was exceedingly material for us to conceal.

Earl of
Sandwich.

The noble Earl had drawn a comparison between the situation of the navy, and the expence of the ordinary of the navy, in the year 1727, and at the present time; a comparison which was not at all warrantable. In 1727, we had not more than 190 ships of war, now we had full 373; and add to this, the expences of every kind had encreased nearly double. Such as timber, masts, cordage, iron, and in short, every species of naval stores.

With regard to the charge on the ground of applying sums, voted for the purpose of repairing certain ships stated in the estimates presented to Parliament, to the repair of other ships, nothing could be more ill founded; it clearly arose from the noble Earl's want of knowledge of the nature of conducting navy repairs. The circumstance was unavoidable, as he would in two minutes shew their Lordships. It was always customary, and it was a custom founded on necessity and expediency, to repair those ships first, which stood in need of the least repair, by which means the number of ships were easily kept up; a circumstance so obviously proper, that he would not take up a moment of their Lordships time to enforce it. When a ship was put into dock to repair, and the sides stripped, it sometimes turned out that she wanted a larger repair than had been imagined; such ships as had been supposed to need only 3000*l.* and three months repair, had afterwards appeared to stand in need of 8000*l.* and eight months repair; and as a ship must be finished when her repair was once begun, it was usual to take so much of the money voted for the repair of another ship, as was necessary to complete the cost, and to let the other ship remain untouched till a future opportunity.

The Earl answered respecting the 12,000*l.* a year, stated to have been allotted for the commissioners of the navy, and admiralty in particular; for that no additional commissioner had been appointed in his time, excepting two, one for Halifax, and another for America; which were absolutely necessary for the dispatch of public business. The increase, he acknowledged, but said the expence arose entirely from another cause. In the year 1773, an additional number of clerks were put on the establishment; Not, that this was a real increase of expenditure, for the clerks had been so many years employed, and paid by the government though the *item* of the official expence in the ordinary estimates, was not set down. The charge alluded to, he said, appeared for the first time, in the year 1773; but it had nevertheless long existed, and had been included under some other head.

Duke

A. 1778.

D E B A T E S.

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Duke of *Belton*. The first Lord of the admiralty, the Duke of *Belton* said, had mentioned his having objected to the motion for any account of the cruizers and convoys which had been appointed, up to a certain time; the noble Earl was mistaken, it was another motion, a motion for an account of the number, &c. to which he had objected. As the noble Earl had in a former debate declared, that when Lord Hawke left the admiralty board, our navy was in a most deplorable state; and that every person in any office relative to the navy was desponding, giving it up as it were, and despairing of ever retrieving it, so as to render it able to defend the kingdom, and resist the attacks of our enemies; he wondered that the noble Earl was averse to the present motions, motions, which not only went to produce papers which Parliament had a right to demand, but to prove how much the noble Earl merited for having retrieved the navy and rendered it so much superior to the state in which Lord Hawke left it. Why deny Parliament the exercise of a Parliamentary right, and tell them that they must trust implicitly to administration? Such a denial, at any time, or by any of the king's servants, would wear a very suspicious appearance; but from the noble Earl, it seemed most extraordinary. The noble Earl has all along, to borrow his own expression, built his merit on his two-fold consideration; the very ruinous condition of the navy, when he came to preside at the admiralty board, and its present most flourishing and respectable state. What does the motion before the House import? To verify and establish both parts of this proposition; to prove this important truth, and of course to prove the very transcendent obligations his country and sovereign, owe to the noble Earl. We have often heard those things pressed upon us, in the most confident manner. We have often heard the truth of them questioned, and will the noble Earl from an overstrained modesty, refuse to gratify the public on a point, which will be the best proof that his assertions were not mere boastings; and which must at the same time, reflect the highest honours on his understanding and integrity. In short, the noble Earl declines entering into any proof either way. On the one hand, he does not chuse to disclose the ruinous state of our navy, in 1770, lest it may convey information to our enemies, in 1778; nor of its flourishing state in 1778, lest France might come at the dangerous and important secret. After holding out the tendency of this argument in several ludicrous lights; he said, the whole was one solemn piece of mockery. France, he was fully convinced, had the most minute and circumstantial account,

not of the state of our navy in 1770, but to nearly the very instant at which he was speaking. To conceal or pretend to conceal it from France, was to the last degree absurd; but considering its real condition, it was by no means surprising, that the noble Earl was so extremely desirous to conceal it from Parliament; because if the latter knew it, it might affect the noble Earl personally and singly. So long as Parliament remained in the dark, the noble Earl only run the risque of suffering in the general ruin. When therefore the noble Earl objected so strongly to laying the account of ships and vessels broke up or disposed of, he might have his reasons for opposing it, and probably they were very cogent ones.

The noble Earl had said, that no rise could have happened, because no additional official expence had been incurred. He would have been much better pleased, to hear his Lordship assert positively, that no increase had taken place. The only increase the noble Earl acknowledged was the commissioners appointed for the docks in America. That could not possibly affect the estimates of 1773, or any other yet given in; and as for the additional clerks, he presumed, the noble Earl would hardly pretend, that their salaries amounted to the difference charged in the estimate; nor did he hear his Lordship assign a single reason, for making a new establishment for the additional clerks, instead of paying them out of the fund appropriated for that purpose; but supposing it to be the fact, he would be glad to know to what new purposes the fund they were formerly paid out of, was appropriated. His Grace finally observed it was needless to go down to the other House of Parliament to hear them expatiate on the extravagance of administration; needless to bring evidence to the bar of their Lordships' House to prove it in any particular instance: needless to look for it in the papers on the table, for that the whole kingdom run with accounts of it in the various departments of government.

Having for some time pursued this argument, he took notice of a certain hospital, the revenue of which he particularly stated; shewing that its income amounted to near 100,000*l.* annually; notwithstanding which he declared government continued to grant it year after year some thousands for its support, and even now, when we were in state of war, and consequently the annual subscriptions from the men employed, were greatly increased, it was set down among the list of purposes for which the Parliament vote money

money. To this his Grace added, that he had met with a book, relative to the hospital he had alluded to, in which it was stated that the directors of that hospital had subverted its charter in more than one act, and especially in the appointment of officers who were not sea-faring men. The charges made in the book he said, he verily believed, and so far was it from being an anonymous publication, that it was professedly written by the Lieutenant-Governor of the hospital, a man whom he had sent for upon reading the book and conversed with, and whom he had not only found to be a very sensible man, but had heard declare, that what he had asserted was strictly true, and that he was ready to make good every one of his charges on oath in any court in the kingdom. Among other proofs of mismanagement in the direction of the hospital, the Duke said, one was, the directors having, at the instance of the Lieutenant-Governors, prosecuted to conviction the butcher with whom they contracted, in one penalty, for serving the hospital with bull beef instead of ox beef, and having afterwards convicted him in ten other penalties, and when they had him in court to pay them, they not only compounded the whole, but in a short time employed the same butcher, and gave him 2s. 6d. a hundred more for his beef than before. His Grace declared that he was a Governor in a double capacity, as an Admiral and as a Privy Counsellor; that he had made it his business to enquire into the facts, and was certain of what he mentioned; he added, that the direction had of late years been strangely filled, that it had a continual majority in it who did what they pleased, and that gentlemen of real weight and ability kept away from the board for that reason.

The Duke took notice of Mr. Atkinson's contract, which he said was made by a noble Lord in his closet, secretly and privately in a manner in which he had no right to make it: that it was enough to alarm the public; and if the first Lord of the Admiralty persisted in refusing to accede to the motions now before their Lordships, and which were motions such as had before been complied with, he flew in the face of Parliament, who had an undoubted right to enquire into the public expenditure, whose duty it was not more to grant money, than to examine the accounts of government, and see that the public money had not been prodigally thrown away.

Earl of *Effingham* said, that as he expected it might be argued against his comparison of the expences of the ordinary of the navy, &c. in 1727, and at present, that every sort of naval stores was much dearer now than at that period; he had

had given himself the trouble to enquire into some of the prices of stores in 1727, and had found that they were so far from being less, that they were infinitely dearer then than now : as a proof of this he mentioned the price of pitch, which was of late only 6s. a barrel, but 1l. 2s. in 1727, of tar and of oil, which were cheaper now in almost an equal proportion. Having laid some stress on these particulars, the Earl ridiculed the idea thrown out by the first Lord of the Admiralty, that if the present motions were complied with, they would serve to give the French information of the state of the navy, and especially that the motion for the account of the number of ships broke up would be productive of fatal consequences, declaring that the French had nothing to do but to buy a collection of Court calendars for some few years back, in order to ascertain what ships were formerly, and what were now in the service.

Earl of
Sandwich.

Earl of *Sandwich* rose again, and complained much of the unfair practice of going into matter foreign to the subject in debate, of the unparliamentary mode lately adopted, of referring to prior debates, and reciting what had then been spoken. He said his own memory was tolerably tenacious, but as other Lords were not quite so happy, it was exceedingly injurious to attempt to repeat what had been said on another occasion. The noble Duke who spoke last but one, had much misrepresented him in declaring he had said, that when Lord Hawke left the Admiralty, every officer in it was in a state of despondency, on account of the deplorable state of the navy; he had said no such thing, nor ever let fall a single expression which could be construed into an insinuation that Lord Hawke had not done his duty. On the contrary, not one of their Lordships could think more highly of Lord Hawke than he did, and he should be as full of presumption as man could possibly be if he did not feel and confess his own inferiority to his predecessor in office. He had never thought that the navy was otherwise in a weak condition when he had the honour to be appointed to his place, than as it necessarily must be at the end of a long war. In a long war we used our ships much, because a greater number was consequently employed; the more service, the more wear and tear. Ships were necessarily built in a hurry of green timber, and when on the rumour of a war with Spain, just before his entrance into office, those ships were wanted for actual service, they were discovered to be in a very ruinous condition. So that, whenever he alluded to this or any other similar circumstance in debate, he wished never to be understood, as meaning to throw the most distant reflection

reflexion on the conduct of the great seaman who preceded him in office ; as if at any time he omitted to state the cause now assigned for the bad condition of several of our ships of war at that period, he always meant that the fact should be committed with its true cause, the greeness of the timber, used towards the conclusion of the last war in his Majesty's several Dockyards. His expression as to the despair of those in the different departments of the admiralty and navy, when he came into office, was merely respecting the want of English timber, it being generally imagined that there was not any in the kingdom.

His Lordship said he could not with patience hear the noble Duke mention in that House a publication which would be properly noticed in another place, and which it was every way beneath their Lordships to advert to. The book contained charges against the directors of Greenwich hospital, so scandalous that he did not doubt but they would feel themselves impelled to call the asserter of them to account for them in the court of King's bench. The directors were men of considerable character, of considerable property ; some of them, the first merchants in London ; their conduct towards the hospital had been irreproachable, and as to what the Duke had said relative to the meat imposition, he was quite mistaken. The man was prosecuted, not by the lieutenant governor alone, but by the whole board of directors, and so far were they from encouraging him, that they had been obliged to enter a fresh contract with him, because his offer was the fairest. All the contracts of Greenwich hospital were publicly and openly made, consequently it was the duty of the directors to close with that offer which was the best. Mr. Mellish was the man contracted with. Mr. Mellish was no butcher, but a wholesale dealer in cattle, a man so largely employed in that way, that he almost held a monopoly of the business.

The noble Duke had urged the Parliamentary grant, for the support of Greenwich hospital, as a mark of the extravagance of government. It was no such thing. The hospital, it was true, had large revenues, but it was a part of its establishment to call upon government for aid, when those revenues were not entirely adequate to its necessary expences. It had this year only asked 4000*l.* of government, which was but a very trifling sum, considering the great purposes which the hospital served. This sum it wanted to pay the out-pensioners, who were formerly 1000, but were now not half that number, and were daily decreasing. It was true, in proportion

portion to the number of seamen employed, the sixpences received, increased, but they were not yet come in. Let the noble Lords look at Chelsea hospital, and compare its state and its necessities with that of Greenwich; and the very trifling expence the nation was put to in supporting the latter, compared with the enormous sums voted annually for the support of the former.

Before he concluded, his Lordship took occasion to defend the noble Lord in the other House of parliament, from the accusation of having made a contract in his closet, declaring that such a charge was altogether irregular and unparliamentary; that it tended to cast an imputation on the noble Lord, as if he had any interest in the contract, or had been influenced by any private or mercenary views; a suspicion for which there was not the slightest ground. The noble Lord in the other House of Parliament, he owned, had his failings as well as his virtues, and no man was without; but those who knew him well, knew that he was as much superior to a mean action as any man in the kingdom; that there did not exist a man of more principle, or of more integrity, and that the very honourable issue to the enquiry set on foot (respecting the contract alluded to) in the other House was an incontrovertible proof of the full conviction of the noble Lord's rectitude of conduct felt by the majority of the members of that House, and the shame which fell upon those who ventured to make the accusation.

Duke of
Bolton.

The Duke of Bolton rose again, and said, so far from thinking the affairs of Greenwich hospital were well conducted he was satisfied of the very contrary. The sixpences of this year were not yet come in, but those of the two preceding, if they were not ought to have been, which were very considerable; 28,000 seamen being voted the first, and 45,000 the last; besides, there was the Derwentwater estate, and some other revenues, which made the whole amount to upwards of 70,000*l. per annum*. He had strong reasons to be convinced that the income of the hospital, if properly managed, was more than sufficient to answer all the outgoings. He had been long of that opinion, and when he had the honour of a seat in the other House, some years since, on a similar proposition to that which gained the sanction of Parliament, the present session being made in the committee of supply, he opposed it strenuously, and carried his point in rejecting the attempt and believed from that time till the present session no such attempt had been made.

The Duke of *Richmond* spoke particularly to the pretended mischief stated by the noble Earl, in laying before that House the stations of our convoys and cruizers. He observed, that the noble Earl was mistaken, both as to the fact itself, and the probable effect of the information. He said his Lordship forgot that he acceded to the motion without a single expression importing any degree of disapprobation. The motion was first made generally. The noble Lord objected to it. To meet that objection, he proposed an amendment by restraining the order to such convoys and cruizers, as had, before the date of the order, returned into port; but supposing the order had been made generally, and had been strictly complied with, what was the tenor of the instructions laid on the table? That such a ship was ordered to cruize in St. George's channel for fourteen days, and look into Dublin to procure intelligence. That another was ordered to cruize off Cape Clear, with similar directions, to look into Corke, or Kinsale; and that a third was ordered to wait in such a latitude for the trade from Jamaica, the Streights, or the Leeward islands. If this be the information that has invited our foreign rivals and enemies to insult and make war upon us, it may be prudent to suppress all memorials of where our convoys or cruizers were stationed before the Revolution.

His Grace observed, if the noble Earl could bring no stronger proof of the rectitude of his own official conduct, than by resting it on a similar foundation with that of the noble Lord in the other House [Lord North] he believed it would be granting more than his Lordship may be willing to accede to, if the consequence of the motion for enquiry was to be coupled with the proposition itself; for the consequence was, notwithstanding the lofty, flourishing panegyrick pronounced by his Lordship, that a committee to enquire into the expediture of the public money was ordered to be ballotted for. If the noble Earl was willing to adopt the noble Lord's conduct in the other House, why not copy him in his candour, as well as every thing else? The noble Lord was in possession of a majority; but what did the noble Lord do? Though the enquiry was personally directed against him; instead of putting a flat negative, as the best proof of his innocence, he consented to it. He did not pretend to say whether his Lordship was censurable or not; he was however either blameable or misinformed. The rum contract had been referred to three merchants of the first eminence and reputation; they gave their opinion against it; and it was of little consequence to the nation, whether the money went into his Lordship's own pocket,

pocket, or into that of his secretaries, his friends, or his mistress.

His Grace replied to the general charges made against the propriety of Parliamentary enquiries. He contended, that the committee on the state of the nation had been already productive of the most salutary effects, having roused the people to a proper sense of their calamitous and critical situation, and given a check to ministers in the midst of their mad and ruinous career. His Grace ended his speech with declaring that the motions ought to pass, and that although reasons of weight existed against agreeing to them, the noble Lord at the head of the admiralty, whose conduct was supposed to be, in a great measure, involved in the event of them, should have been one of the last to oppose them.

Earl of
Sandwich.

Earl of *Sandwich*, in reply to his Grace, denied that he ever consented to the motion relative to the respective stations assigned to the cruizers; but when he perceived the disposition of the House to lean that way, after he had given his own reasons, and as he thought fully pointed out its impropriety, he had done all in his power to lessen the mischievous effects which he feared would have happened. So far, therefore, the noble Duke who spoke last was perfectly right. He moved that the information should only have a retrospective effect, and instead of having it applied to all cruizers, restricted to such only as had returned into port.

The question was then put on the first motion, when the numbers were, for it 20, against it 50.

The second motion, for an account of the ordinary of the navy, for the last eight years, was agreed to without any opposition.

As soon as the Lord Chancellor had read the motion for
“An account of the number of ships broke up and sold, together with an account of what they sold for; and also an account of the quantity of old stores, and the prices at which they were sold,”

Earl of
Sandwich.

Earl of *Sandwich* said, he hoped the noble mover would consent to omit the first part of it, that which related to the number of ships broke up and sold, as it might prove detrimental to the interests of this country, by shewing France in what proportion our navy was decreased. The Earl declared he had not the smallest objection to the House having a full account of the quantity of old stores sold, that he drew but a very small sum from the sale of them, he heartily wished it was larger; but he was exceedingly willing to let their Lordships know what it was. As however the nation was probably on

the eve of being forced into a war with France, for that (although he most heartily wished matters might take another turn) he feared must be the case, he thought it exceedingly imprudent to open, just at this time, any matters which could not, upon being investigated, serve this country, but might be advantageous to its enemies. His Lordship concluded with saying, he believed the noble Earl would gratify him in his request, and new-model his motion.

Earl of *Effingham* said he totally differed from the first Lord of the admiralty, that he could not, by any means, consent to forego that part of his motion which he had objected to; that it was in fact the most material part, and as it was a fair object of parliamentary enquiry, he trusted their Lordships would support him in urging it. He added, that he hoped the noble Earl would not wantonly divide the House, merely to shew his own influence in it; that there was the greatest reason to suspect that the public money had not been expended with œconomy; that it was the duty of their Lordships to examine how far that suspicion was well founded, that by so doing ministers might be rendered more careful, and the sums voted by Parliament be laid out more providently in future, which was surely a sufficient justification of his motion.

The Duke of *Bolton* observed in a jocular manner that the noble Earl who opposed the motion had let the cat out of the bag; and ironically congratulated those Lords who had voted for an address to his Majesty, in answer to his message, upon what must necessarily be their feelings when they heard one of the ministry, who had been loudest in justifying the address which if at all proper, the Duke said, ought to have been followed by an immediate declaration of war confess that he heartily wished we could avoid a war. His Grace expressed his astonishment at the first Lord of the Admiralty's conduct. Was the noble Lord determined that the House should have no papers before them which threw a light upon his conduct in office? Did he mean flatly and plainly to say, their Lordships should not be enabled to draw any conclusions, either as to the proper application, or the scandalous waste of the public money which had been voted for the navy service? The motion now made by the noble Earl was exactly similar to motions formerly made on like occasions. The ships broke up were in fact part of the old stores, as much so as the old stores themselves, and it was ridiculous to say, that giving the House account of them would furnish France with any information which could be of disadvantage to Great Britain, but which could with ease, and at a trifling expence, procure elsewhere.

Duke of
Richmond.

The Duke of *Richmond* arraigned administration in general, and the first Lord of the admiralty in particular, for treating Parliament with such repeated disrespect. His Grace advised, soothed, and threatened, urging those in office on the treble score of policy, civility, and safety, to relax of their wonted obstinacy in denying to furnish the House with all such papers as were likely to throw some light on their own conduct. He said, he gave them the advice for their own sake, to prevent the dreadful consequences which he saw impending. Woe be to them if the public, who had so long trusted administration, and placed such implicit confidence in their wisdom and integrity, found themselves at length betrayed ! Administration would feel the weight of popular vengeance. The noble Lord at the head of the admiralty, who now refused to accede to a motion not only founded on strong necessity, but consonant to parliamentary usage, would be dragged from his place. There would be insurrections of the people, who would put him to death. [Here his Grace was called to order, but persisted in his argument, declaring, he had a right to say what he did, and he would not be interrupted.] The people would rise, and serve the noble Lord as the Dutch served the De Witts, they would tear him limb from limb.

Lord Dudley.

Lord *Dudley* said, it was true, as the noble Duke had mentioned, that the people were ready to rise ; it was not however to destroy the members of administration, nor to punish those who deserved the thanks of their country, but to oppose the natural enemies of Great Britain, to fight the French, if they should think proper to invade the kingdom.

Earl of
Effingham.

Earl of *Effingham* declared, that if the proofs of the extravagant and wasteful conduct of administration in the expenditure of the public money were denied him there, he would take care to produce them elsewhere. The public had a right to know in what manner their money was spent, and he would take care to furnish them with information. It was in vain, he saw plainly, to attempt in that House to move for any thing which the ministers were not disposed to accede to. In the present instance, the first Lord of the Admiralty knew his strength in a division. He would not go below the bar, and take with him his——he had like to have said——servile majority ; he should not therefore rest satisfied, but would use proper means to come at the truth, which he would certainly communicate to the public.

The Lord *Chancellor* left the woofack in great warmth, Lord Chan-
cellor. declaring, that he felt himself called on to support the honour of the House. That if such insinuations, and such language were suffered to pass unnoticed, the House would no longer be looked up to as the moderator between the King and the people. The noble Earl had talked of a servile majority ; were their Lordships to be so grossly insulted without a rebuke ? He had sat in that House seven years, and never before heard so indecent a charge. A servile majority ! The insinuation was not warrantable. He had for one voted in favour of the measures of government ; but would any Lord venture to say he was under influence ? The ministers knew his place was no tie upon him ; they knew he always gave his vote freely, and according to his real opinion. He was born the heir of a seat in that assembly ; he enjoyed a peerage as his hereditary right. He could not therefore sit silent and hear the Earl talk of a servile majority ; and he was amazed that government had so long suffered themselves to be abused ; he hoped, nowever, they would no longer be patient under such a continued strain of invective, but would take the proper means to prevent it in future.

His Lordship said, that the ministry would always have a majority, for the moment that opposition divided as a majority, the present ministry would be no more.

The Duke of *Manchester* said, he conceived, by what had Duke of
Manchester. dropped from the noble Lord on the woofack, that some strange means were about to be taken in order to stop the mouths of those Lords who did not think it right to coincide with every measure of administration ; but in spite of the threat thrown out by the learned Lord, he would persist in arraigning the King's servants, as long as they continued to act in so absurd and injurious a manner as they lately had done ; and it was a matter of perfect indifference to him, whether they bore it patiently or not. It was sufficient for him to be conscious that he discharged his duty to the public.

The question was then put on the motion, and it was negatived without a division.

The fourth motion for an account of the extraordinaries, met the same fate ; and the fifth, relative to the four-pence *per man per month*, paid by every seaman towards the pay of a chaplain, aboard those ships which have not borne chaplains, was agreed to without a division.

As soon as this business was over, the order of the day for the House to resolve itself into a committee, to consider

Duke of
Richmond.

of the state of the nation was read; when the Duke of *Richmond* acquainted their Lordships, that it was then much too late to go into the order of the day. He would not therefore trouble them to go into a committee, but just open shortly what he meant to submit to their consideration; which was merely to move an address to his Majesty, reporting generally from the documents on the table what appeared to be the state of the nation, and humbly to pray his Majesty, to adopt such measures in consequence of that report, as he in his wisdom should think fit.

His Grace moved, that the further enquiry into the state of the nation be deferred to April 7. Agreed to.

April 1, 2, and 3.

No Debates. Adjourned to the 6th.

April 6.

Private business.

April 7.

The House in committee on the state of the nation.

Duke of
Richmond.

The Duke of *Richmond* rose, and preceded the grounds of his intended motion with desiring, that if any noble Lord had any proposition to offer to the committee, he would then move it, as his intention was, in case no other Peer gave an intimation of his wishing to prosecute the enquiry into the state of the nation further, to close it, by offering to their Lordships' consideration an address to his Majesty, founded upon what their Lordships had come to the knowledge of, in the course of the committee's sitting. No Lord answering; his Grace said, he had to thank the House for the great candour with which he had been heard in the progress of the enquiry, and to give his reasons for winding up the whole by such an address as he had mentioned. He said, the enquiry was highly necessary, as it had produced a circumstantial recital of very interesting information; and after shewing the beneficial consequences which the nation had reaped from their Lordships having so patiently and properly attended to the various parts of it which had been agitated, urged the propriety of closing it at present.

The Duke said, he had for a long time observed, that it was the object of government to enslave America, and to exercise a degree of tyranny over that extensive continent, entirely repugnant to the spirit of the British constitution, and directly opposite to every idea of liberty which could possibly be entertained by a free people. That this object was sometimes prosecuted with unremitting rigour, some-
times

times with a sort of relaxation ; but that the latter was obviously meant to enable those who directed the design to renew their attempt to enslave America with more violence, and with a better prospect of success. That conscious of the influence of administration, and convinced that it would be in vain to oppose their measures, he had for one whole session absented himself from Parliament. Aware, however, from the first, that the attempt to deprive America of her freedom might terminate in the ruin of Great Britain, when he found such measures adopted as tended to accelerate that ruin, he thought it his duty to make one effort to let the people see their danger, and to judge for themselves of the wisdom or the wickedness of those who had loaded the nation with so heavy a calamity as the American war. The very idea of forcing America back to subjection, and conquering the thirteen provinces was so absurd, that the eyes of all Europe had been provoked to regard the attempt as impossible. To carry on a war at such a distance as America was situated from Britain, to transport an army of 40,000 men across so extensive a sea as the Atlantic, and to suppose it possible to victual that army by sending it provisions from Europe, was, considered altogether, a project unparalleled in history, and so improbable to be successfully practised, that every nation, in the least conversant with the art of war, confessed their admiration of the lunatic scheme. He begged their Lordships to consider, that the acts of madmen excited admiration, as well as the acts of the sensible. It was as natural to wonder, that any man should dare attempt what was highly probable to end in his ruin, as it was to be surprised at those bold efforts which nothing but the most solid judgment and the most serious wisdom could dictate. His Grace said, he had joined in the admiration confessed by all the world, and finding (as he had with others supposed) that the attempt to conquer America would fail, he had thought it necessary to move an enquiry into the state of the nation, that their Lordships might, if it were possible, adopt such measures as were likely to avert the ruin which threatened the kingdom, as well in consequence of the vast loss of men and money which the American war had occasioned, and the still greater waste of both which must take place if it were continued, as on account of the extravagant and prodigal manner in which the public money had been expended in almost every department of the state, and the debilitated and almost irretrievable condition of the army and navy.

The

The enquiry, the Duke declared, had been of singular advantage to the nation; and he was exceedingly happy to find that it had met with the universal approbation of all ranks of people. Another circumstance which gave him great pleasure was, that the conduct of it had been approved of by their Lordships, who had in no one instance expressed their dislike of the manner of agitating the various questions introduced either by other Lords, or which he had the honour to open to the committee; the only objections made to either, amounting, not to a denial of the resolutions of fact offered to their consideration (which had been on all sides allowed to be truisms) but merely to an argument of the inexpediency of carrying such resolutions just at that particular period of time. Having premised this, his Grace proceeded to recapitulate the various parts of the enquiry which had been brought before their Lordships, and repeated the information which had been adduced relative to the state of the army at home, the state of the army in America, the state of the navy, the losses of the merchants in consequence of the captures by the American privateers, and the prodigality of different departments of government as to their mode of contracting for the transport service, providing rum, &c. &c. for the troops in America.

After dwelling for a considerable time on every point which had been agitated during the sitting of the committee, and shewing that it was of the utmost importance for the nation to beware of its danger, and to know that the war, if finished immediately, had cost them twenty-four millions, and if continued one year longer, must necessarily cost them nine millions more. His Grace said, he thought the propositions authorised to be sent out to America, under the last acts, and which had been a year or two since made without effect, would now prove a fruitless endeavour to conciliate the two countries, although various opportunities had offered themselves when terms might have been proposed with success. He closed his speech with urging their Lordships to save the loss of more lives, deeming it the first duty of humanity, and producing the copy of an address to his Majesty, which he thought the present situation of affairs warranted; he begged, however, that it might not be argued against it, that it drew conclusions without premises, because the resolutions offered to the committee by himself, and other Lords, would have been the premises, had they been allowed to have been carried. Their Lordships well knew that

that the facts which the address alluded to had been proved, they could not therefore say it was ill-founded.

Having premised that the address was necessarily long, the Duke read it to the committee.

The following is a copy of it.

That an humble address be presented to his Majesty, to inform his Majesty, that in the serious situation in which we found public affairs at the opening of this session of Parliament, this House thought it an indispensable duty to take into consideration the state of the nation.

That we have examined in a committee of the whole House, a great number of returns, accounts, and papers, respecting the forces both by land and sea, which have been employed in North America during the three years respectively that the present civil war has continued.

That we have also enquired into the number of lives which have been lost in this unhappy contest.

That we have considered the advantages which have been gained, and the disadvantages which have been suffered by his Majesty's armies, and those of his allies; the progress which has been made, and what yet remains to be done, towards reducing by force of arms the thirteen revolted provinces in North America.

That we have further considered the present state of his Majesty's forces in that part of the world; how far they are deficient from what they were in the course of the last campaign; and how it may be possible to render them adequate to the reduction of the colonies by force of arms.

That we have informed ourselves of the number of old corps, and of their strength, which are left in Great-Britain, Ireland, Gibraltar, Minorca, and the West Indies, for the security of these several parts of the empire.

That we have also weighed the resources which may be expected from the new levies his Majesty has thought proper to direct; how far it may be safe to spare any more of the old corps, or how far the new levies, as yet only raising, can be a recruit for the army in North America.

That we have given much attention to the state of the navy, at all times the great bulwark of defence for these kingdoms, but particularly so while so great a part of our land forces, and those of our allies, are on the other side of the Atlantic.

That we have examined respectable merchants upon oath, as to the losses sustained by the people of Great Britain

from captures made by the Americans, and touching the effects which the present war has upon the commerce of this kingdom.

That we have considered the expences already incurred, and those which necessarily attend the further prosecution of this war.

To assure his Majesty, that in the investigation of these various, great, and extensive objects, we have spared no pains to obtain just and true information; that our enquiries have been conducted with that temper and fairness, which is most likely to obtain truth, to produce wise counsel, and to give weight to our opinions.

That as it is our peculiar province to watch over the conduct of his Majesty's ministers, and to lay before his Majesty such salutary opinions as the exigency of affairs may require, we are necessitated to offer his Majesty the following dutiful representation resulting from facts, as they have appeared to us in this great enquiry.

That according to the returns laid before this House, the effective numbers of his Majesty's land forces in North-America in 1774, consisted of six thousand eight hundred and eighty-four men; in 1775, of eleven thousand two hundred and nineteen men; in 1776, of forty-five thousand eight hundred and sixty-five men; in 1777, of forty-eight thousand six hundred and sixteen men.

That these forces had the assistance of a very great and well appointed train of artillery.

That in the course of the said years, there were employed no less than eighty three men of war and armed vessels, whose complement of men amounted to twenty-two thousand three hundred and thirty-seven.

That no grants were spared by Parliament to enable his Majesty's ministers to render these armaments as complete and effectual as possible; and certainly this country never sent out a greater or more respectable force.

But great and respectable as it was, yet after three years trial and various successes (among which have been victories obtained by his Majesty's troops over the chief American army) the acquisitions we have made consist only in two open towns, difficult to be maintained, and a few islands on the coast, while all the continental parts of Rhode Island, New York, Pennsylvania, and the whole provinces of New Hampshire, Massachusetts Bay, Connecticut, the three counties

6884

11,219

45,865

48,616

22,337

counties on Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia still remain to be subdued.

That there have been sent from Great Britain upwards of sixty thousand land forces, and twenty-two thousand seamen.

That the loss of men by death, desertion, or otherwise, in North America, according to the last returns laid before this House, had in the land forces amounted to nineteen thousand three hundred and eighty-one, besides five thousand three hundred and thirty-six prisoners, and that there were at that time four thousand six hundred and thirty-nine sick.

Land forces
19,381 lost.
5336 prisoners.
4639 sick.

That the loss in the navy appeared to have been four thousand three hundred and fourteen men; so that there had been already lost to this country, at the time when those returns were sent to England, no less than twenty-nine thousand and thirty-one men, exclusive of the sick.

Navy.
4314 lost.

That it appeared that the remains of the army divided in Philadelphia, New York, Rhode Island, and Canada, consisted all together of no more than thirty-six thousand seven hundred and thirty-one men, fit for duty, officers included.

Present army
36,731.

That to recruit this army to what it was last year, will require a reinforcement of at least eleven thousand eight hundred and eighty-five regular old troops.

Wanting
11,885.

That the numbers in old corps in Great Britain, Ireland, Gibraltar, and Minorca, together with the new levies which are raising, appear to us, on a full examination of all the various services, to be such as not to render it in any degree prudent or safe to remove any part of the said troops to America, at a time when so great a part of our land and sea force is already in that remote part of the world, at too great a distance to assist this country in case of a sudden emergency.

That it appeared that the navy in North America would also want a very great reinforcement of ships and men.

That from this view of things we are led to conclude, that if the whole force in North America (which for these last two years has been so greatly superior to what there seems to be any possibility of making it in the course of this year) has made so little impression towards the reduction of the provinces by arms, at a time when they were very deficient in military preparations of all sorts, had neither money, arms, ammunition, magazines, cloathing, discipline, or government;

vernment ; when the assistance they might receive from foreign nations was far less than it has been since, and is likely to be in future by the avowed part which France has taken, it is not reasonable to suppose that they may now be reduced by a force, which we cannot make even equal to that which has failed under circumstances in every respect more favourable.

That with regard to our naval strength in Europe, it appears, that far from being in that respectable condition, which it has often been officially represented by the first Lord of the admiralty in the course of this session, that essential part of our strength is no ways answerable to the vast sums expended on it, or to the various and extensive services which it may be called very shortly to fulfil.

Captures.
2,600,000l.

That the value of the captures made by the Americans on the merchants of Great Britain, amounts to upwards of two millions six hundred thousand pounds.

African
trade.
Loss per ann.
1,400,000l.

That the African trade is almost annihilated, having suffered a diminution of no less than one million four hundred thousand pounds *per annum*.

That the West India islands are much distressed, and that the great increased price of many essential articles of trade, and particularly of naval stores and insurance, are such a burthen on the commerce of this kingdom as must greatly affect its prosperity.

That the expences on account of this war, over and above the ordinary high expence of a peace establishment, as it has been voted of late years, would, with the extraordinary charges not yet provided for, amount to near twenty-four millions, if peace was instantly concluded ; but if the American war alone is continued only for one campaign more, the additional expence will probably amount to nine millions, making in all thirty-three millions expended in this contest. Such an increase of debt, the interest of which is equal to the nett produce of the land-tax at three shillings in the pound, added to our former burthens, will, we fear, with our diminished trade, be difficult for this country to support with national faith.

That we have made some enquiry into the manner in which certain parts of this enormous expenditure have been conducted ; and we are sorry to find, that the mode of contracting and engaging for the transports and supplies of the army has been unusual and prodigal, and such as affords ground for suspicion of corrupt management,

That the state of public credit is truly alarming. The small decrease of the national debt, amounting scarcely to ten millions in the course of fifteen years of peace, bears no proportion to the vast increase in times of war. It requires no calculations to prove, that a debt continually augmenting, must end in a manner we are unwilling to think on. The national debt has increased an hundred million in the memory of many of us. The natural period, and inevitable consequence of this system, appears to be at hand. As one principal foundation of credit, is a confidence in government, we have much to apprehend under ministers who have justly forfeited the good opinion of the nation. The want of confidence, complicated with effects of this enormous, and enormously growing debt, appears from the low state of the public funds; and from the discredit of the new loan, which sells considerably under par, although the terms given this year for six millions, are higher than those which were given for twelve millions in 1761, in the seventh year of a war with the house of Bourbon, and although we have hitherto had no foreign war whatsoever.

That from this melancholy state of facts, we see it impossible to carry on the present system of reducing America by force of arms.

That we conceive this impossibility not to have arisen from the accidents of this war, but to result from the very course of nature; to be the necessary consequence of an attempt to reduce to servitude a numerous people, united in the defence of their liberties, in a distant, extensive, and strong country.

That we conceive that his Majesty, and the Parliament, could not have been induced to prosecute so fatal a war, but from the misled information they received of the disposition of the people in America, of their disunion, and of the possibility of reducing them, by force of arms, to unconditional submission, and to the acknowledgment of the supreme authority of Parliament, before a complaint even of just grievances should be listened to.

That it was the peculiar duty of his Majesty's ministers, to procure correct information on matters of such high importance, and to have laid the whole of such information before his Majesty, and before Parliament, previous to their proposing such steps, as have led us into our present calamitous situation.

That

That we cannot but lament, that when propositions of similar nature to those lately proposed and enacted, were three years ago repeatedly offered to Parliament in both Houses, his Majesty's ministers, the very men who now have advised greater concessions, did, upon delusive arguments, and false representations, prevail on Parliament to reject those propositions, at a time when they would probably have been successful, and might have prevented the prodigal, and, we fear, fruitless waste of so much treasure and the still more to be lamented effusion of so much blood.

That under these circumstances, we can give his Majesty no other advice, than instantly to withdraw his fleets and armies from the thirteen revolted provinces, where they are decaying and wasting; where they subsist with difficulty, cost immense sums of money; can answer no good purpose particularly at this time, when they are much wanted for our security at home; to effectuate conciliation with the colonies, on such terms, as may preserve their good-will, of the preservation of which the future greatness of this nation may in a great measure depend.

That the armaments long since preparing in the ports of France and Spain, and the late declaration of the French ambassador, although natural, are melancholy consequences of the measures which have been pursued, and make it indispensably necessary to view our situation in a new light, that we are no longer to consider ourselves as contending solely for dominion over others; we are to look to our own safety, we are to rescue, if possible, what remains of this empire from the further effects of those measures by which it has been reduced to its actual limits. And as we apprehend that the present calamities have arisen in a great degree from the degeneracy of the times, and a departure from the true principles and spirit of our constitution, it would be highly expedient to endeavour at some sober well digested plan of public reformation, in order to restore the ancient moral and revive the original character of this nation.

That we think it our duty, on offering to his Majesty this unhappy, but true representation of the state of his dominions, to express our indignation at the conduct of his Majesty's ministers, who have caused it, who, by abusing his confidence, have tarnished the lustre of his crown; who, by their unfortunate counsels have dismembered his empire, wasted the public treasures, sunk the public credit, impaired the commerce of his kingdoms, disgraced his Majesty's arms

and weakened his naval power, the pride and bulwark of this nation ; whilst by delaying to reconcile the difference which they had excited amongst his people, they have suffered such an alliance to take place, between the former subjects and the antient rivals of Great Britain, and have neither taken measures to prevent, nor formed alliances to counteract so fatal an union.

That in this calamitous, although they trust not desperate situation of public affairs, this House reposes its ultimate hope in his Majesty's paternal goodness. That we have no doubt, that he will look back to the principles both political and constitutional, which gave rise to the Revolution, from whence we have derived the happiness of being governed by Princes of his illustrious House. That he will reflect on the examples of his predecessors from that auspicious period, during which the prosperity, the opulence, the power, the territory, and the renown of his throne and nation have flourished and increased beyond all example. That he will particularly call to mind the circumstances of his accession to the Crown, when he took possession of an inheritance so full of glory, and of the trust of preserving it in all its lustre. That deeply affected with these considerations, he will be graciously pleased to put an end to a system, too well understood in its nature, and too sorely felt in its effects, which by the hearts of wicked men has prevailed in his court and administration, and which, if suffered to continue, will complete the miseries which have begun ; and leave nothing in this country which can do honour to his government, or make the name of an Englishman a matter of that pride and distinction, in which his Majesty and his subjects had so much reason to glory in former happy times.

Lord *Weymouth* said he would oppose the address, the great part of it, he said, consisted of resolutions which had already been submitted to the opinion of their Lordships, and had been rejected by a considerable majority ; that the very same reasons operated for negating these resolutions when thrown into the form of an address. The noble Duke had said, that no one Lord had denied the truth of each of the resolutions when urged, that therefore it was allowed on all sides that they were trueisms ; in this point he could not agree with the noble Duke ; it was true the resolutions were not controverted when offered, but it by no means followed that they were admitted as facts ; before that could be done, it would have been necessary for their Lordships to have investigated them with a much larger share of care and time than

than they had bestowed on them ; that, in fact, they were deemed inexpedient to be agreed to, even if they had been well founded, and therefore their real foundation in fact, had not been considered, and consequently it was not to be presumed that their Lordships were convinced of their being true. The prayer of the address which the noble Duke had moved was of two parts ; the one desiring his Majesty to withdraw the troops and fleet from America ; the other desiring his Majesty to dismiss his ministry. Both of these points had before been agitated, and both of them had been rejected by the previous question having been moved upon them, and carried. With regard to the first, the same arguments were still in force as had been urged against it before, *viz.* the impolicy of the measure, and the improbability that America would treat about terms of conciliation, when this country had, by an act of her own, given her to understand, that we despaired of conquest. Another reason which now very powerfully spoke against it was, our situation with France ; a situation which rendered the smallest hint of our consciousness of being incapable of resisting an attack highly imprudent ; and as there was not any real occasion to suppose ourselves in so defenceless a state as the noble Duke had alledged it was still more imprudent to give room for any such suspicion.

Besides, it was one of the first prerogatives of the Crown, to have the disposing and directing of the naval and military force of the kingdom ; but if their Lordships should agree to the address, it would deeply affect the acknowledged right that the King has over his fleets and armies, and of course be a direct invasion of the executive power.

With regard to the other object of the prayer, (the dismissal of the ministry) it might be thought rather indelicate for him, who was in some measure a party concerned, to speak to it ; as those, however, who knew him, he trusted would believe him, when he declared, his employment was the last object of his consideration, he should not hesitate to repeat that it would be an act of violent injustice, to convey to the King so severe a censure upon his servants, before they had been heard speak in their defence. He added, that it was the King's prerogative to appoint his own servants ; that if they were guilty of any misconduct, they were open to public enquiry ; and if convicted upon competent proof were certainly objects of parliamentary complaint, and of parliamentary prayer for removal. It had been said, did ministers consider their places as their freeholds ? Did they hold them

as a matter of right? Did they deem their dismissal from employment a punishment? Certainly no. The King, who honoured them with his commands, could, whenever he pleased, dispense with their services; and when his Majesty thought proper to do so, no one member of administration would think himself punished.

Earl of *Chatham*. His Lordship began by lamenting that his bodily infirmities had so long, and especially at so important a crisis, prevented his attendance on the duties of parliament. He declared that he had made an effort almost beyond the powers of his constitution to come down to the House on this day (perhaps the last time he should ever be able to enter its walls) to express the indignation he felt at an idea which he understood was gone forth, of yielding up the sovereignty of America!

My Lords, continued he, I rejoice that the grave has not closed upon me; that I am still alive to lift up my voice against the dismemberment of this ancient and most noble monarchy! Press'd down as I am by the hand of infirmity, I am little able to assist my country in this most perilous conjuncture; but, my Lords, while I have sense and memory, I will never consent to deprive the royal offspring of the House of Brunswick, the heirs of the Princess Sophia, of their fairest inheritance. Where is the man that will dare to advise such a measure? My Lords, his Majesty succeeded to an empire as great in extent as its reputation was unsullied. Shall we tarnish the lustre of this nation by an ignominious surrender of its rights and fairest possessions? Shall this great kingdom, that has survived whole and entire the Danish depredations, the Scottish inroads, and the Norman conquest; that has stood the threatened invasion of the Spanish Armada, now fall prostrate before the House of Bourbon? Surely, my Lords, this nation is no longer what it was! Shall a people that seventeen years ago was the terror of the world, now stoop so low as to tell its ancient inveterate enemy, take all we have only give us peace? It is impossible!

I wage war with no man, or set of men.---I wish for none of their employments; nor would I co-operate with men who still persist in unretracted error; or who, instead of acting on a firm decisive line of conduct, halt between two opinions, where there is no middle path. In God's name, if it is absolutely necessary to declare either for peace or war, and the former cannot be preserved with honour, why is not the latter commenced without hesitation? I am not, I confess, well informed of the resources of this kingdom; but I trust it has

still sufficient to maintain its just rights, tho' I know them not—But, my Lords, any state is better than despair. Let us at least make one effort; and if we must fall, let us fall like men!

[When his Lordship sat down, Earl Temple said to him, You forgot to mention what we talked of—Shall I get up? Lord Chatham replied, No, no, I will do it by and by.]

Duke of
Richmond.

The Duke of *Richmond*. The noble Viscount objected to the address; because the matter contained in it has already received a negative; and because the facts, though not controverted, were not proved. The noble Viscount, must have totally forgot; for the propositions were not negatived, but postponed; the very mode of getting rid of them proved it, If they had been negatived, the noble Viscount well knows that they could not be offered to your Lordships' consideration a second time, in the course of the same session. The truth is, my Lords, that the propositions were acknowledged to be so many truisms, but not proper to be assented to; because such an assent would contain a full parliamentary acknowledgment of the very weak and defenceless state of the nation. The time is past when such an argument, if it ever deserved any attention, cannot avail. France has already declared her intentions; the facts are before the public. I might with great justice add, France knew them long before they were either known or acknowledged in this House. But, my Lords, the true motives for postponing to resolve them at one time, or for not admitting them now, is come out. They were early foretold by a learned Lord [Camden]—He prophesied, that when the ultimate measure came to be pointed out, the House would have no premises to proceed on. The facts were, that such was the state of our army, navy, &c. that we could no longer carry on the war in America with any prospect of success; and that the present calamitous situation of this country was occasioned by the ignorance and misconduct of ministers. The first of these would be a foundation for withdrawing the troops; the last would be a sufficient ground for the removal of ministers. This was the prediction of the noble and learned Lord; and such is the conduct of the noble Viscount. Without facts the House could not come to a conclusion. The last point, as to the matters of fact spoken to by the noble Viscount, exactly corresponds with the other. The noble Viscount tells you, that although the facts were not controverted, they were by no means admitted. I appeal to your Lordships whether this was or was not the case; and whether, in almost every instance, they were not admitted as

so many truisms ? But even tho' the noble Viscount could not support this assertion on the ground he has taken it up on ; would it not be a fair, logical inference to presume, that in so solemn an investigation as that of an enquiry into the state of the nation, when matters of the first rate consequence came in proof, and that from documents lying on your Lordships' table, that whatever was contained in those documents was admitted, because it was not controverted ?

The noble Viscount says, the prayer of the proposed address consists of two parts. It recommends that our fleets and armies be withdrawn from the towns and coasts of the thirteen revolted provinces, and for the removal of ministers. I grant it ; but, says the noble Viscount, the first is a very improper restriction on the royal prerogative. His Majesty ought to be left to his own determination ; it is to be presumed that he will act with suitable wisdom and propriety, in directing and employing the force of the state entrusted to his care. The second, recommending a removal of his ministers, is equally improper, and contains besides a charge against ministers, and recommends condemnation, without the parties being permitted to be heard in their own defence. Now I totally differ from the noble Viscount, that recommending to withdraw the troops implies any restriction whatever. It only relates to a matter of state, and does not, in the most remote degree, tend to tie up the hands of the Sovereign. His Majesty may station or send the troops to any part of the world he pleases : the advice simply relates to the employing them in hostilities against the revolted colonies. The noble Viscount's argument relative to the removal of ministers, is no less ill supported : he presumes, that removal imports accusation ; and that ignorance or misfortune amounts to criminality. I am sure he cannot be serious, because the contrary has been the constant language of ministers and their friends, since the commencement of the present enquiry. If, then, inability or misfortune are not criminal, a removal on those grounds cannot import accusation, much less condemnation. But, my Lords, independent of this, I can see nothing in the argument. I will allow, if removal amounted to the same thing as a bill of pains and penalties, the charge should be carefully made and fully proved ; but is that the case at present ? Ministers, though they are the King's servants, are likewise the servants of the public. The King himself is to be considered in that light ; he is the first, but he is nevertheless no more than the first magistrate. If, therefore, Parliament and the people, whose servants ministers are, disapprove

of their conduct, it is the duty, as it ought to be the wish of the King, to dismiss them from their places and employments. The noble Viscount says, that charges should be accompanied with proofs. If he wants proofs of incapacity, I believe your Lordships have been amply furnished with them in the course of the enquiry. If any more are wanting, look to the present perilous situation of this country.

The noble Earl who spoke last, for whose person and opinions I entertain the highest veneration and esteem, thinks, that the interest and honour of this country unite in obliging us to hazard every thing in securing the dependency of the colonies; and, as a ground of what we are able to do, reminds us of what we have formerly achieved. Not one of your Lordships has a more grateful memory of the services performed for his country, by that noble Lord, than I have: he raised its glory, reputation, and successes to an height never before experienced by any other nation. His Lordship's name (I beg his pardon for mentioning it) the name of Chatham, will ever be dear to Englishmen; but when I grant this, I am convinced that the name of Chatham is not able to perform impossibilities; and that even high and respectable as it is, I do not think that the present state of this country by any means accords with what it was when the noble Lord was called to direct our councils. Our finances were then in a most flourishing state, through the abilities and indefatigable zeal of that truly great man and able financier, Mr. Pelham; our fleet was in a most respectable condition, and under the direction of a most able naval officer, and noble member of this House [late Lord Anson.] The influence of the Crown had not yet got to the alarming and dangerous height it has since arrived at. We had, for the most part of the war, but France singly to contend with; and when Spain took a part against us, France was exhausted to the lowest ebb; her navy was almost annihilated; and the principal part of her colonies in the new world wrested from her, and in our possession. We had then America for us; we have now America against us; instead of Great Britain and America against France and Spain, it will now be France, Spain, and America against Great Britain. If the noble Lord had indeed pointed out the means of supporting ourselves in such an unequal contest, I should readily acquiesce in his Lordship's sentiments; but as his Lordship has not only omitted to point out the means, but has acknowledged that he knows them not, I presume he will excuse me, if I adhere to my former opinion. I am as ready as

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any man, to acknowledge and repeat, that the noble Earl carried the glory of the nation to an higher pitch than had been known at any former period ; but if his Lordship were to come in now, he would come in under very different circumstances.

My Lords, there is not a person present, who more sincerely wishes that America should remain dependent on this country, than I do. But as I am convinced that it is now totally impracticable, I am anxious to retain them as allies, because if they are not on terms of friendship with us, they must necessarily throw themselves into the arms of France ; and if we go to war with France on account of her late treaty, the colonies will look upon themselves bound in honour to assist her. What prospect of success have we ? We have lost 11,000 men in the course of the last campaign. Our peace establishment is between five and six thousand short of its complement. Make this up out of the new corps, or send all the new corps to America to repair the losses of the last campaign ; is there one of your Lordships, or a single minister present, who will rise and say, that there is the least prospect of supposing, that raw undisciplined troops will be able to effect what veterans could not ? It is absurd to expect success, though you had no power but America to contend with. But if appearances were more favourable, how can money be raised ? You are now obliged to borrow money in the third year of a war, at a higher premium than you were in the seventh year of the late war, attended with this circumstance too, that the loan was then twelve whereas it is now six millions ; and yet, high as the premium is, the subscribers are considerable losers ; so considerable, that an application has been talked of to Parliament, to indemnify them for their losses.

The noble Earl, as a reason for inducing your Lordships to go to war, talks of the injustice that must follow to the inherent rights of the heir apparent and his brother, by disposing of their American patrimony. I am ready to assist the noble Lord, not in endeavouring to recover what I deem now totally impracticable (I mean by force of arms) but in calling to a severe account, those who have been the cause of the loss of their inheritance. Much has been said, in a former debate, of the provocation given by France, on account of her conduct respecting America, to prove, that we are compelled to resent it, in the most spirited and direct manner. Queen Elizabeth, it is well known, openly abetted the revolt of the Spanish Netherlands, in the reign of Philip the Second, and assisted them for a series of years, with men and money.

money. Philip, far from resenting it, scarcely seemed to take the least notice. His hands were then sufficiently full; and he never looked upon himself bound, either in honour or policy, to create more enemies than he was able to contend with; and yet Philip was at that time the most powerful prince in Europe.

Earl of
Chatham.

Earl *Chatham* rose to reply, but after two or three unsuccessful attempts to stand, his Lordship fell down in a swoon on his seat, and was immediately assisted by the Duke of Cumberland, and the Earls Temple, Stamford, &c. His Lordship was removed into the Prince's chamber, and Dr Brocklesby, who happened to be near, immediately attended his Lordship.

Duke of
Richmond.

As soon as the confusion occasioned by this public calamity subsided, the Duke of *Richmond* rose, and after giving warm testimony to the great political abilities and integrity of the noble Earl, whose illness had caused the interruption of the debate, and acquainting their Lordships he had the pleasure to inform them, that the noble Earl's illness, though violent, he had reason to hope was but temporary, and occasioned by weakness and the excessive heat of the House, he said he thought it would be better to adjourn the debate till the next day. The House unanimously agreed to it.

April 8.

Lord Wey-
mouth.

Lord *Weymouth* presented a message from the King [*Same as was this day presented to the House of Commons.*] respecting a provision for the King's children.

Lord Wey-
mouth.

Lord *Weymouth* also moved an address,
“To assure his Majesty in the most dutiful manner of the hearty zeal of that House to testify their earnest desire to concur in such measures as shall be most proper to assist his Majesty in his desire of making a competent provision for the honourable support and maintenance of his Majesty's royal children, and of the son and daughter of his royal Highness the Duke of Gloucester.”

The address being agreed to *nem. con.* the house-tax bill was presented, read a first time, and ordered to be read a second time the next day.

Earl of
Radnor.

Earl of *Radnor* observed that the bill was of importance, but at least respecting the manner in which it was drawn up, it was full of objectionable matter. He heard it contained several clauses which were totally unnecessary to the professed object of it; but whether a bill which so nearly concerned the public at large ought or ought not to be suddenly hurried through the House

House, he thought that it would be decent, if not proper, to postpone the second reading for a day or two.

Lord *Onslow* replied, that it was necessary that the bill should be passed before the Easter recess, which could not be the case if it was not read a second time the next day; the ultimate consequence of which would be that the public creditors would in the mean time have no security for the interest of the money which was to arise from this tax.

Duke of *Richmond* said there was but one method of getting rid of the difficulty, that he knew of, that was by ordering it to be printed.

Lord *Chancellor* said money bills were never debated in that House, consequently to postpone the reading of them or move for the printing of them was totally unnecessary and unusual. They were the peculiar privilege of the other House. This House could not alter them.

Duke of *Richmond* replied, the Peers had a right to dissent from a money as well as any other bill; that the claim now so warmly maintained by the learned Lord had been often asserted by the House of Commons, but had been constantly resisted by the Lords; that this was the first day he had ever heard or read that such a claim was acknowledged by any member in that House, much less from the wool-sack did he expect to hear such doctrines, the guardian of its rights and privileges. It would, he believed, be a phenomenon in parliamentary proceedings to see the speaker of the other House rise in his place and make a formal surrender of the privileges of those who seated him there for the purpose of protecting and defending them. His Grace moved that the bill be printed.

Lord *Weymouth* said, there was no precedent for the printing of a money bill.

Earl of *Effingham* moved, that the Lords' Journals of the year 1668 should be read; and the same being read accordingly, it appeared, that on a short notice, such as the present, a money bill was presented and passed, with this observation, "that the same should not hereafter be drawn into precedent." Here, then, was the fullest and most unequivocal proof, that money bills were not to be hurried through that House; and of the implied right the peers asserted of considering, altering, and totally rejecting them, if they thought proper.

Lord *Weymouth* denied, that the precedent applied in the present instance, unless to establish the propriety of the present motion. The bill was brought up from the other House, and passed by this in a hurry. That is the very thing now desired. The Lords, on the former occasion, said, the same should

should not be drawn into precedent, that says no more than what the friends of the present motion are willing to acquiesce in.

Earl of
Effingham.

Earl of *Effingham* observed, that the surveyors had a power to oblige the occupiers of all houses to go before a magistrate, and make oath what the value of the houses so occupied were; and that no exemption or reservation had been made in the bill for the peerage.

The question was put on the printing of the bill, and carried in the negative without a division.

Duke of
Richmond.

This business being finished, the Duke of *Richmond* rose, and having lamented in very warm terms the unlucky accident which had the preceding day caused the committee so suddenly to rise, he had the pleasure to inform their Lordships that the issue was not likely to prove fatal in its consequences, as appearances at first seemed to threaten; for he learned since he came into the House that the noble Earl was much better, and that he was not without hopes of soon seeing his Lordship in his place, and of being in a capacity once more to serve his country, by the performance of his duty in that House.

His Grace then reminded their Lordships, after further additional congratulations on the subject of the prospect of the noble Earl's recovery, that his motive for resuming the subject of yesterday's debate was merely to give any of their Lordships who might desire it, an opportunity of speaking to the question. He had himself so fully spoke to the several objects which it involved, that he should not think of troubling them again, unless in reply. The motion itself was drawn up so much in detail, that it called for very few arguments to support it. On the whole, if any new matter should arise which might make his rising again necessary, he should do all in his power to give their Lordships such explanations as the matter itself might call for. Under this reservation he acquainted their Lordships that he had at present no more to offer.

Earl of
Shelburne.

Earl of *Shelburne* began with paying very high compliments to their Lordships, on the great attention shewn to the noble Earl [Chatham] who had been taken ill the preceding day. He said, their conduct upon that melancholy occasion, was such as might be naturally expected from persons of their nice and generous feelings, and was worthy of the highest encomiums. It was a mark of respect, as well as of humanity, to adjourn the debate; and for his part, looking upon himself to be highly interested in an event which so nearly concerned the great man alluded to, he was greatly obliged to them. He confessed, he was much alarmed on the occasion, both on ac-

account

count of his personal esteem for the noble Earl, and what was of more consequence to their Lordships and the nation, the fatal consequence of the death of a peer, to whose wisdom, abilities, and happy and fortunate exertion of talents, this country stood so highly indebted, and whose assistance would at this perilous moment be so much wanting. He assured their Lordships, that it would have been utterly impossible for him to have delivered his sentiments on the question before the House at the time, he was so sensibly affected; nor could he have yet collected himself sufficiently to speak to the subject, if the cause which first prevented him had not been removed in a great measure; the apprehension that the noble Earl's illness was likely to prove fatal: his apprehensions were in part removed, thank God, by an appearance of his Lordship's being in a fair way of recovery.

His Lordship, by way of introduction, gave a particular account of his own sentiments respecting America, and of the previous steps he took before he finally made up his mind on the subject.

He was resolved to have the noble Earl's opinion, pure and genuine, unmixed with compliment, or biased by any personal regards. He accordingly forbore to hint his own opinion, till after the noble Earl had fully given and explained his; and was much pleased to find, that it exactly coincided with what he had himself delivered in a debate, a few days since in that House. He was no less surprized at the matter, than the manner in which the noble Earl gave his sentiments, considering his state of health; so sound in argument, so spirited, and at the same time, so replete with conviction, that he protested, if he had before doubted, he must have come away confirmed, or had he differed, must have become a convert. This interview took place before he last spoke on the subject, but he thought it would be unparliamentary and unbecoming the respect he owed their Lordships, to trouble them with the opinions of persons without doors. He acknowledged, it gave him great pleasure to have his opinion confirmed by so high an authority; and he thought it proper, before he proceeded minutely to consider the several parts of the question, to make this general declaration, that after maturely considering the question in every possible point of view, he was perfectly satisfied and fully convinced that America was not lost, and that a war was inevitable. If the result of his enquiries on both those points had led him to adopt a contrary opinion, or had altered his present one, he would have ingenuously recanted, and that in

as open and explicit a manner as he delivered his original sentiments, which he found himself obliged to adhere to.

After passing the highest compliments on the abilities, patriotism, and vigour of mind of the noble Earl, his Lordship proceeded. He laid it down, as the basis of every thing he was going to offer, what fell from him in a former debate "That the moment Great Britain acknowledged the sovereignty or independency of America, her sun was set; and that he thought in his conscience a war with France was unavoidable."

He confessed, he differed from the majority of his nearest friends in this opinion. He differed from those with whom he lived, and conversed; with those who stood in the firmest bands of intimacy and friendship with him. He differed from those who lived under the same roof with him. He had received private letters from his acquaintance; from anonymous correspondents. He had been advised, intreated, soothed, admonished. He had been warned of the perilous ground he stood on. He had been told, what will you join with the destroyers and betrayers of your country? Will you accept of a place, or join in administration who have already proved, in such a variety of instances, their wickedness and imbecility? Will you trust where you have been already betrayed? Will you hazard your own honour and safety; your reputation, nay, the very existence of this country, to your own opinion? These, my Lords, form but an imperfect picture of the solicitations, warnings, dissuaves, and motives, that have been urged to induce me to change my opinion; but they have all proved fruitless. I look not to consequences. I prefer my duty to every other consideration. I look upon this House as my home. I think of nothing which does not directly affect me, as one of this august body. I know no honest man, who thinks as I do, can lend his countenance to administration; but I know too, that in this House I am bound to maintain whatever is right, independent of every other consideration. I have not been concerned in business for upwards of ten years. I know the madness of embarking, in some instances, with men whom one does or does not know; but still, though no other person in this or the other House, or within the wide domain of the British empire, thought with me, I should nevertheless retain my present opinion alone, and continue to oppose the sovereignty of America.

But, my Lords, suppose that we were willing to allow the claim of independence; that we were ready to sacrifice the most essential interests of this country; are we likely to turn

our backs upon the laws of eternal justice? Are we to make a sacrifice of national faith? What is to become of those unhappy men, who from their loyalty, no matter whether right or wrong, have risked every thing, and lost every thing in defending the cause of Great-Britain? What will become of the infant children of the late Mr. Penn, the descendants of that great man, the proprietor and legislator of Pennsylvania, to whose abilities, labour and attention, America owes the greatest part of her present power and opulence? What will become of the property belonging to a noble Viscount in my eye [Lord Weymouth]? or of the heirs of the late Lord Baltimore? What will become of those men, who have been compelled to fly from their native country; and who, if American independency should prevail, will be the first persons to suffer under American proscription; who will be banished for ever from their native country, and despoiled of their estates and possessions? What will become of the most useful, and one of the most respectable bodies of men in the nation, the merchants, particularly those of the city of London, who have all along conducted themselves in so candid and moderate a manner, and have now nearly two millions of property lying in America? All these several descriptions of men must be totally ruined, or materially injured.

My Lords, these are but a small part of the misfortunes we must feel, and the injustice we must inflict on the innocent and helpless; a small part of the disgrace we must incur, should America be declared independent, or should we tamely put up with the insults offered to us by France. Suppose we should declare America independent, are we certain that America will stop short in her pretensions? Tho' the people at large may rest contented, are we certain the Congress will? I have an high opinion of the Congress, as a deliberate body. I am ready to acknowledge, that the views of the people of America are limited to a preservation of what they deem their own proper rights. What does this prove? That if the good sense and moderation of the people were to prevail, and that power were not employed to improper uses, nothing but a mere separation would be to be dreaded. The history of mankind holds another language. The conduct of public affairs here at home, has recently proved it. A few men, possessing the power and offices of the state, employed that power not in acts of justice or sound policy, but in realizing dreams of senseless unattainable ambition;

bition; they told the nation that the sword should never be sheathed, till America agreed to unconditional submission. Who then knows but the Congress, when they have attained their object of independency, may look further; and having the art of holding out false lights to the people, may inspire them with expectations of conquest and extent of dominion. Should this be the case, the remainder of America must fall. I have heard it whispered, as being a subject of the paltry, petty negotiations, carried on by our phantoms of ministers, that St. John's and Cape Breton have been already demanded by American agents. Should this prove true, away goes the fishery and twenty thousand seamen. After this will follow the West-India islands, and in process of time, Ireland itself; so that we should not have a single foot of land beyond the limits of this island.

The noble Duke who has taken such indefatigable pains in the course of this enquiry, and to whom the nation stands so highly indebted, differs very much from the noble Earl, and from those sentiments which I again avow to be mine. For my part, I think the noble Earl, though a martyr to illness, and scarcely able to speak, delivered himself like an able and honest man, in the foregoing part of this debate. His advice was full of wisdom; and plainly contained the sentiments of a man, jealous for the honour of his country, eager to preserve the rights of the crown in their fullest extent; and anxious to maintain the ancient established character of the nation, by instantly repelling the insult offered by the court of France. The noble Duke wishes, in order to avoid the hazard and expence of a foreign war, that America were declared independent. He agrees with the noble Earl, that the insult is great; but he thinks, that the present state of the nation renders it not advisable to seek redress for this insult. His Grace has observed, that the noble Earl said there were means, but he knew not what. I am precisely of the same way of thinking with the noble Earl. I know there are means, but I do not pretend specifically to point them out. It was not the proper business of the noble Earl to enter into the detail of them. His Lordship would require that at other hands; he would call to one man for an army; to another for a fleet; he would look for money from the people; and he would employ the means, thus drawn from their different channels, effectually. The noble Earl, when called to the head of affairs, during the late war, found the nation in a state of despondency. It did not

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however, long remain so. France soon felt that we had the means, and that we knew how to use them. Religion and freedom will always inspire the inhabitants of this kingdom with an ardour, and courage, and perseverance, that will lead them to victory, when those are properly directed. It is the business of a minister, to put the proper springs in motion; to call forth the spirit of the people, to induce them to open their purses, to create a confidence in his measures; to unite the hand and purse, to warm the heart, and convince the understanding. With such means, war need not be feared, nor its event dreaded; and I will maintain, that accompanied with such circumstances, an immediate declaration of war would be both the wisest as well as most honourable step we could take; and the most likely to preserve peace, and of obtaining America. This, my Lords, may appear paradoxical; but I shall nevertheless continue to think, that war can only lead us to a safe and honourable peace, and to the recovery of America. The noble Duke's reply of yesterday, to what fell from the noble Earl, was founded principally upon that expression of his Lordship, which I have just alluded to, "That there were means for this country to go to war with France, though he knew not what." This expression, the noble Duke misinterpreted, and asked how the noble Earl could talk of the policy of going to war, when in the same instant, he acknowledged he knew not the means? The expression, my Lords, I think, is exceedingly defensible. It was a mere mode of speaking. It was not the place, nor was it necessary, that the noble Earl should explain, in the hurry of debate, nor disclose plans more proper to be considered elsewhere. Possibly, the noble Duke would not rest contented with general assertions; he would call for more substantial proofs. He would ask, where are the men, where is the money? I answer his Grace, I see the bar full of men, there are three or four hundred now in this house. The streets of London are full of men. I see men every day pass in crowds on the Bath road, which was one continued street almost, abounding with passengers, horses and carriages, till the late distresses thinned it. Look round you on every side, and see what a scene of population and opulency presents itself. Look into Hyde-Park, St. James's-Street. Look into the city, there is money enough there. Perhaps the noble Duke will say, though there is money enough there, the minister could not, notwithstanding all the plenty, obtain the late loan, but on very disadvantageous terms. Let the noble Duke

Duke consider, there is an essential difference between having money, and lending it. The monied men, and I think, very wisely, have no confidence in the present administration, they will not trust their money in such hands. No honest or intelligent men, would; and whoever did, not only did a foolish thing, but actually did their country a disservice. Let the present blundering set of ministers resign; let honest and capable men fill their places. Men capable of giving spirit and vigour to the operations of government. Let the present paltry practices of petty private negotiations be given up. Let every thread of the secret system be cut, and all those little low schemes of crafty lawyers, devised by them to sooth their own vanity, be abandoned. Let the public be convinced, that their money is honestly and fairly expended; not spent in private jobs; not wasted, in maintaining a set of servile dependents, or corrupting the representatives of the people in parliament. Let every operation of government, be as open as day-light; and then any loan the service of the state may require, will, I venture to promise, be easily obtained. I have a great esteem and value for several individuals in France; but though the people of this country are much degenerated from what they were, I would have the noble Duke consider the sort of people we shall have to contend with, infinitely more degenerated than us, should a war ensue. Men who have lost all that love of glory, military prowess, and superior discipline, which was known to prevail during the reign of Louis the XIVth; I profess, I believe such is the spirit of our very women, that if the combat were left to them alone, they would be equal to the task of driving the French out of this kingdom, should they attempt to invade us.

The present ministry have been the ruin as well as disgrace of this country. They trifle, they negotiate, they patch up; and the whole of their evasions and tricks is but a patch-work, formed of shreds of pitiful expedients. The whole of their conduct, since the shameful transaction about Falkland's Island, has been entirely in this way. If other men were at the helm, France dared not act in this manner; her ministers know it. Vergennes, one of the ablest men in France, has said as much: I have it from the best authority. He has ludicrously complimented them on account of their political sagacity. He acknowledges their ways to be past finding out. He says, no man can tell the next thing they

they mean to do ; and he, or some other of the French cabinet, has said, whilst the present ministers stay in, France has too much good sense to go to war. This country should have long since determined for peace or war. I have heard much of invasions, but I know France and Spain both to be vulnerable in many places. But four years since, a revolt might have been easily fomented in Brittany ; the inhabitants were ripe for insurrection. Much is said of the disposition and compact figure of France. I believe there is a great deal too much stress laid upon these circumstances. I believe they are far from being so united, as some persons would persuade us. Spain, in many respects, is equally vulnerable. I know a particular part of that kingdom, which I shall avoid now to name, where she might be easily and successfully attacked.

France, in the early stages of our dispute with America, ought to have been brought to declare herself openly and directly. Ministers were told, day after day, that France would interfere ; France did interfere ; ministers were told of the fact, till the noble Lords on this side of the House were tired. Every species of apology was resorted to ; and at length, when hard pressed, the minister of the day rose, and gravely assured your Lordships, that he had received the most satisfactory and friendly assurances from the court of France. Ministers were blind, or pretended to be blind ; they acted like traitors or ideots. Instead of immediately compelling France to desist, they presented remonstrances of the most mild and humiliating tenor, and bullied the United Provinces, their only friends. In the true spirit of their whole conduct, they crouched to their enemies, their natural and powerful enemies ; and basely bullied and insulted their less powerful friends.

The very worst state a nation can possibly fall into is that of despondency, as where it gets root to any great degree, it seldom fails to terminate in ruin. The history of Europe exhibits numberless instances of its fatal effects, and Great Britain ought now to avoid it as its bane, for, I profess, I do not perceive any real cause to despond. It is true, danger is at hand ; but there is nothing new in that. If we have never been exactly so circumstanced, we have frequently been in similar situations, and have always surmounted them, often with glory, but always with success on our part, and with more or less degree of disgrace on that of our enemies. We had the means to repel invasions, and defend ourselves in every

every part of our vast extended dominions. Common sense founded in uniform experience, directs us to adopt vigorous and decisive measures; measures that may convince our enemies, that the ancient spirit of the nation is roused; that England is not only determined to bid defiance to all those who dare insult her, but to follow it, to shew that she still continues the same, with an instant proof of her ability, and a determined resolution to procure atonement for the injurious insult she has received. Not to go to war, and to acknowledge the independency of America, my Lords, would be to ratify the treaty between France and America, and to render what was in itself an unnatural compact, a natural one. I heartily unite in opinion with the noble Earl, so often alluded to by me since I rose, who wisely observed, that there was no halting between two opinions; that there was no middle path which could be trod with honour or safety. And surely your Lordships cannot but agree with me, that none but the most pusillanimous administration that ever held the reins of government would think of temporizing with the court of France, and by little underhand communications and private epistolary negotiations, endeavour, in order to keep their places, to explain away the honour of the kingdom, and sacrifice at the same time its most essential interests, when the conduct of the King's ministers ought to be direct, spirited, and decisive; and be distinguished by acts, not by words; by measures of force, not by the language of concession.

As to the measures recommended by the motion, so far as they stand unconnected with the two great points to which I have been speaking, I verily believe the facts enumerated in it are strictly true, and fully established, according to the usual mode of parliamentary proof, and that the censure of the ministry conveyed in the conclusion is most amply merited. I agree, therefore, heartily, my Lords, in both points, and only wish to have it considered, that I do not accede to the latter with a view to obtain the place of any one Lord in administration. It is dangerous to succeed some men in office. The Dutch pulled down the house of the great De Ruyter, who had so ably served them in his profession, as a seaman, before they attacked any other; and that great statesman De Witt, who had acted as their saviour, was torn limb from limb by an ignorant and enraged mob, as a reward for his services; on which occasion he gave the most exalted proof of his innocent and firm mind, by not seeming to feel the

the tortures inflicted on him by his savage murderers, but continued to repeat the celebrated Ode of Horace, beginning with the words, *Iustum ac tenacem propositi virum*, &c. while he was going to execution.

We now feel the effects of the worst species of bad government; money is scarce for want of a confidence in ministers. Great quantities of coin and bullion have been sent to America; the people that have money, either hoard it, or are afraid to part with it. The money is in the nation, but a spirit of distrust prevails. People are, to be sure, much divided in their opinions as to the measures proper to be pursued: but there is only one opinion entertained of the present ministers; they are held in almost universal contempt, if not detestation. The city of London which, to its honour, has conducted itself so judiciously throughout this business, contains persons of both descriptions. I do not deal in little, private letters, or secret intelligence. I despise every kind of importance drawn from such resources; but two particulars lately came to my knowledge (not, I do assure your Lordships, of my own seeking) which will shew the different dispositions I have been describing. One was, an intended operation on our stocks, which would shake public credit to its lowest foundations, and reduce the value of stocks at least six per cent. The other was, for a spirited attack upon a part of the territories of the crown of France, which if made must prove successful.

When the noble Duke, my Lords, asks for the means, I answer him, that great things may be done, by opulent and spirited individuals. There was a time in which, if possible, this nation stood in a more perilous situation than even it stands in at present, and yet it was saved by the public spirit of the city of London, and the happy exertions of a few patriotic individuals. The period I mean was, when Spain threatened to invade us in the latter end of the reign of Queen Elizabeth. Spain was to have borrowed a large sum of money, in 1585, to victual her fleet, from the bank of Genoa. Sir Thomas Gresham heard of this, and managed matters so dexterously, as to borrow this very money, I think 40,000l. by which means the Spaniards were obliged to defer their project for that year; so that when the Armada put to sea, this country was in a state of preparation, and the event is too well known to repeat. Thus, by the zeal and good sense of a few opulent merchants, among whom Sir Thomas Gresham took the lead, this country was pre-

ierved from the yoke of the Spanish tyranny, or from being reduced to a Spanish province.

The noble Duke asks, what can one man do, be his talents ever so great? I will remind his Grace what one man did do, in the very affair to which I have been alluding the commander of our fleet fought the Spanish Armada, contrary to his positive instructions, and defeated it. I will tell his Lordship what one man did upon a more recent occasion Prince Ferdinand of Brunswick, with 40,000 men, beat the French with 100,000; and, by his amazing military talents kept the whole land force of France engaged, while we were making conquests of their colonies and dependencies in every quarter of the globe. Prince Ferdinand was but one man but then he was one of those men, who are very extraordinary persons, and who would, if occasion made it necessary, be of most essential service to this country. And if war should be the consequence of the present misunderstanding, which I think it must, I know no man more fit to call to the head of our army than that illustrious Prince. I am persuaded it is not the characteristic of an English general officer to be jealous. I know there are many able general officers in my eye, but I know too they are too generous, too noble minded, too much attached to their country, to let their own personal pretensions stand between such an appointment, and the national interest and preservation. A noble Lord, for whose military character I have a very high opinion, and who has been lately, I understand, called to the head of his profession, [Lord Amherst] will, I trust, excuse me. I do not recommend the present appointment to take off from his merit: I know it; it is universally acknowledged by his country; but his own modesty would urge him to agree with me in the propriety of the hint I have now thrown out.

My Lords, I say, one man can achieve great things, if he possesses the confidence of the people, and by that hold can call forth that spirit which has always proved victorious when properly and judiciously directed. What was the state of Holland in the celebrated year 1672, when obliged to fight against France and England united? The United Provinces were then precisely in the state of despondency that Britain is now——add to this, that her troops and fleets were undisciplined and spiritless. The two brothers Andrew and Cornelius De Witt, endeavoured all they could to rouse them to a sense of their situation. One of

them turned admiral himself, and fought the enemy, but nothing would do---the people were degenerate; all military discipline, regulation, and subordination, were at an end. Burghers and burghers' sons were placed in the highest and most important commands: nay, so far had this evil spread, that military and naval officers employed substitutes! In fine, the people were so immersed in sloth, corruption, and so overwhelmed with despondency, that twelve or thirteen straggling soldiers would have possessed themselves of a very strong fort, which led to the capital, if a servant woman had not braved the danger alone, and timely pulled up the draw-bridge. What was the consequence of all this? The only two virtuous men in the republic, the two De Witts, were sacrificed to the ill-founded prejudices of an enraged populace. The people grew desperate. Offers had been made to Louis XIV. their conqueror, then the most potent prince in Europe, and aided by England, to give up every thing, but just to retain the name of sovereignty. It was refused by that haughty monarch with contempt. This roused the people to act as one man. Their supineness was no more; roused from their political lethargy, every man became a sailor or a soldier; and the event corresponded with the means employed. Charles the Second saw his error. He was detached from so unnatural an alliance. Holland once more recovered its freedom, and, in a very few years after, was able to vie with the first powers in Europe. It was the high, political knowledge of the De Witts that proved the cause of their unhappy fate; as statesmen, they could never be persuaded that Charles the Second would have been so great a madman or idiot as to have joined France in forming a system of power which must have ultimately ended in the destruction or conquest of his own kingdoms. De Witt's observation, who was the wisest and ablest statesman in Europe, when he heard Charles had acceded to the treaty with France, so evidently repugnant to the interests of his crown and people, was, "that no man could possibly pretend even to guess at the extent of folly." I confess the observation has made a deep impression on my memory. I have often revolved it in my mind; and I think the period is now arrived, when it may be applied with the strictest justice. It points directly to the conduct of the present members in administration, who seem determined to push their folly farther than any men in office had ever done before. Indeed it may, by some of their advocates, be urged in their

favour, as tending to mislead our enemies; for I have heard more than once, that the principal difficulty with the French cabinet has been to explain by system, what has hitherto remained inexplicable, the conduct of the British administration; who are represented at Versailles, as men so mutable, various, and so contradictory in their measures, that the last was of such a nature, that no man, unless possessed of the spirit of divination, could tell what the next would be.

My Lords, our ministers, if they deserve that name, seem in a state of stupefaction. They see ruin approaching, and take no one measure to prevent, or even arrest its progress. They neither prepare for peace nor war. They know, they must know, that an invasion is intended. I have had repeated advices, within these three weeks, that the coasts of Britany and Normandy are lined with troops. There is not a person who has lately left that country, with whom I converse, who has not assured me of the fact. What is the nominal minister? The *servus servi*. What are those who act with and in subordination to him? The *servi servorum* of this phantom of power and mock importance. What has their employers desired them to say? That the court of Spain will not join France. The arrival of a courier from Madrid is announced! These are the joyful tidings; the stocks rise one *per cent.* till the pitiful trick is detected, and they fall to their former price. Then again it is whispered, we are to have no war. It cannot be, say the whisperers, if America is declared independent. Here again is another subterfuge, Were I to resort to conjecture, I should be apt to suspect the latter to be the case. Ministers here are silent; they will not speak, or they know nothing. The minister in the other House has lost all credit, even with his greatest friends and admirers. He is never of the same opinion two days running, or even twice in the same debate. No man, in or out of the House, pays the least attention to what he says. He says any thing, and of course says nothing. "I would not take the ghost's word for a ducat," is an expression extremely applicable to him. But it is not even their tricks, evasions, and successive contradictions, that so much surprize me, as their total inattention to national security. Do they know the length of coast that is to be defended? That Plymouth, which is almost insulated, will require 10,000 men for its defence; Portsmouth as many more; Chatham and the county of Kent an equal number? Are ministers ignorant, that if the French should make good a landing,

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that there is not a single post from the water-side to the metropolis but one, and that in the neighbourhood of some houses that I should be sorry to see disturbed. [Supposed to mean the royal palaces.] Do ministers know, that a chain of posts should be kept up from London to Harwich? Then Newcastle, a place of the first-rate importance, lies exposed. It is three hundred miles off; and, to properly secure it, and the eastern coast, a chain of posts and communication should be kept up between Harwich again and Newcastle. Newcastle should be paid particular attention to, and strictly guarded. France knows the importance of that town and its neighbourhood as well as we do ourselves. It may possibly be urged, that by these public communications, I may be throwing out hints to the enemy, and instructing them where to land. Were the French ignorant of these particulars, the objection might be plausibly made. I am certain of the contrary; the French do not stand in need of such information. These hints are intended for ministers, to inform them of what I have every reason to believe they are totally unacquainted with and unprepared for. The ministers of Great Britain, I believe, are ignorant of these particulars; the ministers of France, I am thoroughly persuaded, are not.

I would ask a noble Duke over the way [Duke of Argyll] if Scotland is in a proper state of defence; or if it has either men or money to put it in such a state? I believe the noble Duke will hardly reply in the affirmative. The truth is, administration have lost all credit with the people. The militia are ordered out; some of them are already embodied; yet, such is the character of the finance minister with the people, that he is afraid to apply to them for money to pay the militia, either from the total impracticability of procuring it, or being obliged to give so high a premium as would sufficiently point out the absolute necessity of removing him from his present situation.

In this state of despondency, had I an opportunity of advising his Majesty, I would advise him to try what could be done with the Whigs. Scotland and Manchester have been tried sufficiently already. The Tories have been applied to, and confided in. I do not approve of exclusive distinctions in times of difficulty and danger, nor at any time, much less at such seasons as the present, when even the very existence of the nation seems to be rather hazarded, sooner than apply to, or even receive assistance from some of its best friends.

friends. I would advise ministers to abandon all party proscription, and write to the country gentlemen of weight and fortune in the several counties, though they should have the misfortune to be Whigs. State to them the real situation of public affairs, demand their assistance where it may be necessary. Offer those honours and advantages which it is in your power to bestow. Combine and connect every party and description of men. Leave a way open for every man to enter, and every man will enter and co-operate in the support of government. A noble Lord near me, I will take the liberty to mention his name, the Earl of Effingham, whose zeal and unwearied attention to the interests of his country have secured him the veneration and esteem of all ranks of people, has, I am told, offered his services, in person, to the Sovereign. I know no more than what the newspapers, or common conversation inform me of; but I am told, he was looked on coolly, and that some others have nearly stood in the same predicament. If it be so, I am sorry for it; and am certain, such a conduct must have proceeded from weak, if not evil advice. I imagined, that his own personal merit, his disinterested conduct, would have secured him a different kind of reception. I was led to hope, that his name, the highly respected name of Howard, and his descent from that great hero, the first of his immediate family, Lord Howard of Effingham, who destroyed the Spanish Armada in the reign of Queen Elizabeth, would have drawn a degree of respect and attention due to such pretensions.

The noble Duke thinks the surest way to secure the friendship, if not dependence of America, will be to relinquish it for the present. The noble Duke will excuse me, for thinking it a most extraordinary mode of securing a sceptre, to resign it. Power and dominion are too flattering in their nature, to be either parted with, or returned on such terms. In my opinion, you would only arm America with a weapon you will never again be able to get possession of; it would prove a poignard, to wound this country, which you could never again, by your greatest efforts, be able to recover from her grasp. The proposition puts me in mind of a passage in a modern comedy, between a duke and a sharper: the former is supposed to give the latter twenty guineas; the sharper returns twenty-one; so this kind of exchange increasing on both sides, continues for some time, till the sharper at length runs away with the whole. Such a scheme,

my Lords, was a very proper subject for a play or a farce, as a caution to young people not to play, or warn them not to play with strangers; but it would be grossly ludicrous, if it was to be adopted in a system of politics, which was to determine the interests, if not the fate, of a great kingdom. Whoever yet heard of borrowing or lending a diadem? The idea is absurd; the plan is idle and impracticable.

The conduct of this country, respecting Holland, has often been introduced into debate on this subject, particularly by the noble Duke; and inferences have been drawn from it, to prove the propriety of forbearing to resent the insult offered to us by France. I do not mean the last period of Dutch history alluded to; I mean the conduct of Queen Elizabeth, relative to the frequent apologies, and the seeming good understanding which subsisted between England and Spain, while Queen Elizabeth was publicly supporting the Dutch in their revolt. In answer to this, I shall just remind his Grace, that though war was not actually declared, the assistance given to the revolted subjects was equal on both sides; for while England was fomenting disturbances in the Netherlands, Spain was doing the same in Ireland, and actually invaded that kingdom with a very considerable naval and military force.

The facts which introduce the present motion have, in my opinion, been sufficiently proved, and contain matter not of a dangerous nature, unless your Lordships should be persuaded to believe the most improbable of all absurdities, that the information which came out in the course of the enquiry, was not known to France! The same objection would have lain against a great part of what fell from me this day; but it is to the last degree farcical. The French know the ground, posts and passages between London and the sea coasts, I will not say better, but at least as well as the most experienced of our own generals. The French are equally well informed as to the state of our army and navy. Indeed I believe I need not hesitate to say, much better than we are. But now I am up, I cannot help taking notice of a matter which astonished me, and which came out in proof. I confess I looked with amazement at the confidence and insolence of the first Lord of the admiralty. When a war was threatened with France, and that a noble Duke, whom I do not now see in his place [Duke of Bolton] reminded his Lordship of his boastings, and how far short the fleet was of being in a state of defence;—his Lordship said, “To
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be sure the fleet was not as well manned as he could wish. He could not help it; he had done every thing in his power; but it was impossible to remedy the evil, as America retained in their service above 20,000 of those seamen, which in former wars we used to have to man our navy." Good God! is it possible to bear such evasions? Shall it be in the power of men in high offices to allure the nation into measures of the most serious and perilous nature; to encourage it from time to time, to proceed upon previous engagements; and when the instant comes that the nation is just at the eve of being plunged into a war, the event of which may determine its existence; shall the same men be so daring, to endeavour to shift the responsibility off their own shoulders, and tell you that they acted ministerially, under the wing of the public counsels, and are not answerable for consequences? It is not the business of this House to call such men to account. That is the duty of the other House. But what is the other House? Can public justice ever be procured through so foul and corrupt a channel? Is it possible to obtain justice, while that House is under the immediate controul, and at the devotion of the minister? Can impeachments be expected to come from pensioners, contractors, and the whole tribe of needy dependants? Let us but recollect what passed here the other day, when on an enquiry into the shameful jobbs respecting the contract for transports, the ministers sent the very contractors, clerks and dependants to insult this House with made-up tales to cover their own corruptions and iniquities. Before this country or its constitution is recovered, that corrupt House must be new modelled. It is at present the source of all corruptions and misfortunes; and if all other means should fail, the people will probably rise, and drag their corrupt and venal representatives from their seats. I shall never submit to the doctrines I have heard this day from the woolfack, that the other House are the only representatives and guardians of the people's rights. I boldly maintain the contrary. I say this House is equally the representatives of the people. They hold the balance; and if they should perceive two of the branches of the legislature unite in oppressing and enslaving the people, it is their duty to interpose to prevent it.

The noble and learned Lord on the woolfack, in the debate which opened the business of this day, asserted, that your Lordships were incompetent to make any alteration in a money bill, or a bill of supply. I should be glad to see the

the matter fairly and fully discussed, and the subject brought forward and argued upon precedent, as well as all its collateral relations. I should be pleased to see the question fairly committed, were it for no other reason but to hear the sleek, smooth contractors from the other House of Parliament, come to that bar and declare, that they, and they only, could frame a money bill; and they, and they only, could dispose of the property of the Peers of Great-Britain. Perhaps some arguments more plausible than those I heard this day come from the woollack, to shew that the Commons have an uncontrollable, unqualified right to bind your Lordships' property, may be urged by them. At present, however, I beg leave to differ from the sentiments delivered by the noble and learned Lord; for until the claim, after a solemn discussion of this House, is openly and directly relinquished, I shall continue to be of opinion, that your Lordships have a right to alter, amend, or reject a money bill; and to prevent an improper or oppressive tax being laid on the people and yourselves: and I trust, that if such a doctrine should come to be ever pressed or tenaciously maintained by the other House, that this inherent right of controul will never be abandoned by your Lordships.

I so far agree with the noble Viscount [Weymouth] that the address consists of two parts, to withdraw the troops, and for the removal of ministers. If the first is meant to lead to the independence of America, I shall certainly be against it. I repeat what I before urged so strongly, that the dependence of America should never be given up. As to men, I shall ever prefer measures to men. I agree with the noble Earl [Chatham] in his opinion. I wish for no man's place or employment; yet I can never accede to the argument of the noble Viscount, that to dismiss the present ministry, would be punishing or censuring them without proof. Is not our present situation, a full proof of the wickedness and imbecillity of administration? Have not they done every thing to amuse Parliament, to deceive, to mislead them; and do they not yet endeavour to cling to their places? Have not they planned a commission, armed with certain powers, to treat on certain terms? Do not they know beforehand that this commission must miscarry? Is not America previously told to insist on independence? Are not ministry and their friends silent; and preparing to surrender the sovereignty and glory of this country? Where are the high tokens of approbation gone, which I heard echoed from every courtly

corner of this House, the last day I took the liberty to deliver my thoughts on the present subject? A solemn stillness pervades these benches, which on the last day resounded with marks of the highest approbation. There are many other reasons, my Lords, which serve to convince me, that declaring America independent would be rash and impolitic. The thirteen united states form at present a republic in the strictest sense of the word. It is a fact, confirmed by long experience, that republican states are always averse to war. If they should, as I fear they will, from their present temper and former provocations, reject the offers we are about to propose to them, they will, from the very nature of their government, insensibly by degrees, bend towards peace. In that view, my advice would be, to let them alone, and they will in time, even from motives of convenience and interest, return to an alliance with this country. They will naturally cultivate commerce and the arts of peace; they will be desirous to bind and heal those wounds which are bleeding from the ravages of war; and they will discover, as soon as the heats and resentments which it has occasioned have subsided, the danger as well as impolicy of their treaty with France, which if obstinately adhered to, might prove their own destruction, no less than that of the mother country.

My Lords, whatever the strength and resources of this country may be, they can never be happily or effectually employed, without a thorough reformation in the executive government and the people at large. A reform of manners, both public and private; of the other House in particular, who at present, I do not hesitate to pronounce, the servile followers of the minister; ready to obey every mandate he thinks proper to issue; totally immersed in the deepest and dirtiest ways of corruption; and lost to every sense of their own duty and constitutional importance in the state. Though I have strong expectations that America is not finally lost, but rather believe it will once more return to its connection with this country, I have no hopes from the commission now going out, nor the acts on which it is founded. In my opinion, the commissioners will return to Europe as they will leave it, *re infecta*, and that the whole scheme will turn out as it was really designed, nothing but a mere pitiful plan of the present ministry, to amuse the nation, and prolong for a few months their ministerial existence---or by gaining time, attempt either to divide the colonies, in hopes to carry into execution their original design of enslaving them,

them, or if that should miscarry, endeavour to continue their own power, by at length making a formal surrender of America, on account of its recovery, either by force or treaty, being no longer practicable. It is not yet, my Lords, too late. The first step I would advise, is to do America ample justice; to convince the people of that country that we were sincere, that we were in earnest; that we wished to come to an undisguised reconciliation, framed on the most comprehensive bottom, and built on the most solid and permanent foundation. To secure their liberties beyond the power of former or recent claims. Such a plan, my Lords, ought to be prevalent, and extend its influence through every dependency of the British empire, to the East and West Indies, Ireland, &c. which would render London what it ought to be, the metropolis of Ireland, Asia, and America. Undoubtedly, my Lords, in respect of America, such a scheme would for a time meet with a strong opposition. There are doubtless several in that country who have taken a part in the contest, and who from ambitious views of wealth, honour, and aggrandizement, would oppose it; and would set their preachers and orators to work, to persuade the people of the advantages of being independent; but the bulk of the people, if we acted candidly, judiciously, and direct, I am persuaded, would be easily brought to a reconciliation, a matter I fear, for many strong reasons, which can never be effected by the present ministry; the system by which they are upheld, and the terms on which they hold their appointments, being totally incompatible with the frame and spirit of this government. These dangerous combinations of men, linked together for counteracting the designs of the constitution; for vesting an unnatural power in the hands of the crown, in order to employ it to their own personal purposes, and thereby setting up a distinct interest from that of the people. All these dark and crooked purposes must be abandoned before we can expect to succeed in any measure pacific or hostile. Every thing must miscarry so long as this plan is adhered to. This government will never get clear of the various difficulties which press on every side, unless the system of clerks be annihilated; till the court scribblers are silenced or dismissed from the highest to the lowest; from the querist, employed to write down and villify General Howe, down to the lowest mercenary scribbler of the day; till the lawyers and commissioners are sent to their professions, offices, and desks, and, till every low, petty, under-hand part of the present paltry court system is entirely abolished.

Besides, the impolicy of declaring America independent, my Lords, I perfectly agree with the noble Earl, who, in a few words yesterday, though pressed down with infirmity, spoke with so much dignity and wisdom, there would be a gross injustice in such a declaration, not only with respect to the heir apparent to the crown, the Duke of Osnaburgh, and the several descendants of the Princess Sophia and her heirs, being protestants, but to several families, the natives of this country, who once possessed great landed properties in the colonies. I took the liberty to point out a few of those soon after I rose; but if I were to enter into particulars, and were to have full information upon the subject; the consequences of a separation, and the confiscations which it would be productive of, I am confident, would appear to your Lordships' most lamentable and deplorable. Though I desire no man's place nor employment, yet if ministers were to demand my advice, I would readily go to the privy council and give them my sentiments fully. I would not however go alone, they might possibly consider me as a spy, and my visit might prove equally disagreeable to myself, and to those to whom it was made.

In fine, my Lords, nothing will succeed under the direction of the present administration. They are despised or execrated without doors; they have lost the public confidence; the system of government must be changed, and established upon a stronger basis. I repeat again, the lawyers and *com-mis*, the present conductors of public business, must be sent back to their proper vocations, or their original obscurity. America must obtain justice and security, and whatever difficulties may arise to obstruct it, I have no doubt but that country may again be happily united to Great Britain.

Duke of
Richmond

The Duke of *Richmond* replied to the noble Lord's speech. He said, men it was certain were in that House and out of it, in great abundance; and money, as the noble Lord has said, abounded in private coffers. But when a war was determined upon, it became necessary not to trust to your eye, in point of numbers, nor estimate the populousness of those kingdoms by the people you saw in that House, in London streets, or on the road to Bath. It was generally believed that France contained twenty-four millions, Spain six or seven, and America three. What had we to oppose to that number in Great Britain and Ireland? Little more, he believed, than eight millions. He allowed, that if America was with us, notwithstanding the disparity of numbers, we might be equal to the whole House of Bourbon; but America

not

not only detached from us, but actually put in the scale against us, he thought, to hazard so unequal a contest, would be madness in the extreme.

His Grace assured their Lordships, that no one more sincerely wished that America might return to her former dependence and connection with this country than he did; but it was the impracticability in one event, the danger in the other, and the injustice of compelling her by force of arms, that all equally operated upon his mind, and induced him to be of opinion, that the only way to get clear of all those difficulties, would be at once to declare her independent. He said, suppose Great-Britain had nothing to interrupt her, and that she should prevail in the contest, would such a connection be either a desirable or a profitable one? Most certainly not. If conquest on our part was to be the consequence of the contest, the Americans must be slaves; and even though they were slaves, the expence, trouble, and hazard of keeping them in such a state of servile objection, would cost this nation more money than would be sufficient to balance any advantage we could possibly draw from such a dominion.

His Grace observed, the noble Lord talked much of the vulnerable parts of France and Spain. If there were no other motives, nor stronger, for entering into a war, than the advantages to be derived from sudden attacks and debarkations on their coasts, those would weigh very little with him. He remembered, that in the course of the late war, he served in company with the noble Lord on one or more of those expeditions; and he imagined they saw nothing on that occasion sufficient to encourage them to a repetition of the same species of warfare.

He observed, the noble Lord avowed his preference of measures to men: So did he, when measures stood in opposition to men. It is true, the noble Lord censured, in a very able manner, the conduct of the present ministry; but what did that censure amount to, when his Lordship's general sentiments went to an indiscriminate approbation of those of the noble Earl who spoke the preceding day? The noble Earl said, he desired no man's employment; he wished for no man's place. All he found fault with was unretracted error. His Grace appealed to the noble Lord, whether the phrase, unretracted error, did not fairly import, that the noble Earl had no objection to unite or support the present ministers, on condition that they retracted their errors? If
measures

measures, not men, meant this, he fully understood what was intended.

His Grace observed, much had been said and relied upon in argument, by the noble Lord, on our abilities, on what we were able to do against the common enemy ; yet a great part of the noble Lord's own argument went to prove the necessity of a superior force. His Lordship called for a much superior force to any thing we could procure for several months, even for the defence of the southern part of the island. He asked a noble Duke on the other side of the House, whether, in case of an attack in Scotland, he had either men or money to repel such an attack ? The silence of the noble Duke implied a negative. The same question might be extended to Ireland, which, by all accounts, was in a most defenceless condition. The noble Lord had observed, very pointedly, that, although the militia were called out and ordered to be embodied, yet such was the state of public credit, that the minister was either afraid, or could not procure money to pay them. What then, said his Grace, does the argument of the noble Lord and noble Earl amount to ? The latter says, he wages no war with persons, but with unretracted error : and the noble Lord says, that measures, not men, are what he looks to. Surely the noble Lord will not say, though war was declared to-morrow, that the present ministers could have a more effectual support than they have ; consequently his Lordship will confess, that even good and necessary measures cannot prove successful in the hands of the present ministers. His Grace proved, that either his Lordship must declare in favour of American independence, and peace with France, or give up men, as connected with measures ; for in many instances, particularly in the present, measures cannot be separated from men ; the former, however expedient, wise, or necessary, must fail, while the execution of them is intrusted in such hands as now hold the reins of government. He contended, that he repeated no more than the noble Lord's own arguments ; for they all went to prove, in the fullest manner, what had been now asserted.

His Grace, after describing very fully our internal state, and the powers we had to contend with, supposing we should drive France into the arms of America, declared, that no man in his senses would think of going to war under such circumstances ; or expect to impress the minds of his hearers with conviction, that this country, after having proved her-

self incapable to prevail over America single-handed, could stand any chance of victory, in a contest with France, Spain, and America, united.

He declared, he wished as sincerely as any one of their Lordships, or the noble Lord who spoke last, for a speedy accommodation between Great-Britain and America, without making so great a sacrifice as the dependency of the latter; but fatal experience had put it past a doubt, in his mind, that things were gone too far for such a desirable event to take place. He should have been much better-pleased, if the noble Lord, instead of launching forth into a description of ideal men and money, had shewn how America was to be regained; how the Thirteen States now, even by the noble Lord acknowledged to be independent, were to be brought back to allegiance and dependency on this country. He saw no prospect of it; and therefore, being anxious to render America at least a friend to Great-Britain, had thrown out his ideas as to the best means of doing it. He begged the noble Earl, as well as their Lordships, to consider, that America, if not the friend of Great-Britain, must necessarily become the friend of France, and of consequence, could not stand neuter with regard to us.

Suppose, added his Grace, that matters were not in the perilous state that they really are; suppose, for the sake of argument, that the last campaign had been still more successful than it was, that America was likely to submit, and that France had not interfered, I declare, for one, that I do not entertain a wish that America was forced into submission, and I will give my reason for making this declaration. The conduct of this country for some years past, has obviously been such as tended to reduce America to servility, to slavery; every measure of administration was calculated to wound the freedom of the colonies; and it requires but little argument to prove, that as soon as America is enslaved, Great-Britain's loss of liberty will be at hand. Exclusive of this very galling circumstance, what an immense expence, what a heavy burden would it be to this country, to keep so extensive a continent in a state of slavery? None but the weakest of politicians, none but the worst of men, would ever have dreamt of aiming at a purpose so manifestly unjust, injurious, and destructive!

The noble Earl had mentioned Prince Ferdinand as a great general, and intimated a wish that he was at present called on to take the command of that army which was to defend

defend the kingdom. The noble Earl had mentioned the Prince as the one man whose abilities and wisdom united had been the cause of an army of 40,000 men beating an army of 100,000. He could not help differing from the noble Earl in both points. He believed few victories were owing either to the single valour or the single experience of one man. If the instruments under him were not equal to the task achieved, the attempt would necessarily prove fruitless. A smaller army might beat a larger; but then not only the men must be well disciplined, and full of spirit, but the officers second in command, and those inferior, down to the very subalterns, must be capable of giving effect to the plan of their leaders, and by a proper co-operation invigorate and support the efforts of the whole army. He had his eye on a noble Earl who served under Prince Ferdinand, and to whom he verily believed a great part of the Prince's success last war ought justly to be ascribed. That noble Earl [Waldegrave] was, in his opinion, as capable of taking the command of our army, and conducting it successfully, in case of invasion, as any German Prince in Christendom; and he never could consent to intreat the service of foreigners in our army, while so many able English officers were unemployed.

Earl of
Shelburne.

Earl of Shelburne said, as soon as the French ambassador delivered the offensive paper, they should have given immediate orders for the striking of some decisive blow at France. Some sudden shock, that would serve effectually to draw her attention from making an offensive war, either in Europe or elsewhere, to the protection and security of her own coast and distant dependencies. Ministers, ignorant as they were must know, that France was vulnerable in the West-Indies. There the troops and fleet under General and Lord Howe must have proved successful. He had seen an officer of rank and experience, lately returned from Philadelphia, who assured him that the army there was composed of veteran troops, ably commanded, and in the most perfect discipline and good order. This army and fleet might be ready to proceed on any service against our natural enemies early in the next month if they should receive their orders in time; and having no equal force to oppose them, whatever service they were sent on must be crowned with success.

The noble Duke had wished that he would shew in what manner America was to be regained without our agreeing to her claim of independency. He would give their Lordships his opinion; and he thanked the noble Duke for calling for it.

it. Leave the Americans to themselves, and he had no manner of doubt but they would soon send commissioners to offer terms to Great-Britain. There was a natural necessity which would force America to come back to an alliance with this country. She could not, however artful men might gloss over the matter, be so lost to all sense of her own interest as to continue dependent on France. She would soon see the ridiculous false bias she had taken. Her own interest, her own ease, her own happiness, would point it out; and the consequence would be, that all cause of animosity and contention ceasing, she would, on motives of sound policy, at length, of her own accord offer terms to England.

The noble Duke had alluded to Earl Waldegrave, as having materially assisted Prince Ferdinand in his success last war. He was exceedingly willing to do the noble Earl ample credit for his bravery and skill, as a military man; but neither took away from the merit of Prince Ferdinand, who was one of those men rarely to be met with; he had scarcely ever read of a general so truly expert, both in the cabinet and in the field, so wonderfully able both as a general and a negotiator, except the famous John Duke of Marlborough; and he would venture to say, that no officer who served in Germany last war would deny him a claim to uncommon abilities: indeed he had never heard of more than one commander [Lord George Germaine] in that army, who did not always speak of him in terms of praise, in terms of admiration.

He concluded with declaring, that no good could be expected from the present set of men in office, who stood not on their own legs, and dared not maintain a single opinion, unless it was backed and supported by their colleagues, who received their final instructions from an authority they dare not acknowledge. Could any one therefore be surprised at the errors of such men? Their blunders hitherto had obviously reduced Great Britain to a very calamitous situation, and their scandalous inactivity on the present occasion, added to the encouragement they gave to the national despondency, by not speaking out, seemed to threaten the ruin of the empire—a predicament in which he saw clearly they would rather see Great-Britain involved, than part with their beloved places.

Lord *Ravenworth* closed the debate. He said he was astonished how the noble Lords in administration could sit so many hours silent, and hear their conduct so severely arraigned.

reigned by the noble Duke; but more particularly by the noble Lord; and not offer the least justification, or so much as a single syllable in reply, even to blunt the force of any of the heavy charges made against them. This silence, he hoped portended some good to the nation; for by refusing to answer they tacitly confessed the truth of the several accusations; and the next step he hoped they would take, would be to wait on their Sovereign, fairly confess they had deceived both his Majesty and the nation, and resign their places, as no longer fit to conduct the public affairs.

The question was put, and the House divided: Contents 33; non-contents 50.

Earl of
Abingdon.

As soon as the division was over, the Earl of *Abingdon* got up, and said, These dead majorities will be the ruin of this nation. Let the question be what it will, though the salvation of the country depend upon it, if it be moved by the minority it is sure of a negative: and, my Lords, we are told too by the ministry, that this is the only way in which his Majesty will receive our counsel. It may, indeed, my Lords, be the only way in which his Majesty will receive our counsel; but it is not the only way in which we have a right to give our counsel to his Majesty. My Lords, we are the hereditary counsellors of the Crown, and have a right to an audience of his Majesty at all times, to lay our humble services before him. I therefore move, my Lords, that we of the minority do, in a body, wait upon his Majesty with the address that has been this day made by the noble Duke: it contains information worthy the royal ear; what effect it may produce is not for me to forejudge.

Duke of
Richmond.

The Duke of *Richmond* assented to the proposal of the noble Earl, and said, that, if it was agreeable to the other Lords, he himself had no objection; but that that was a matter which would be best settled out of the House.

Ld. Dudley.

Lord *Dudley* moved to adjourn, and the Lord Chancellor was putting the question, when

Duke of
Richmond.

The Duke of *Richmond* rose, and observed, that their Lordships were proceeding contrary to all parliamentary forms, there being two orders for the House to be summoned the day: one, the order just disposed of; and the other, for the third reading of the *Foley* estate bill: the latter now consequently stood the order of the day. He appealed to the Journal, and asked if there was a single Lord present who would say that the adjournment could take place, without a manifest breach of the rules and orders of the House, unless the order in the books, for which their Lordships were summoned, as well as on the State of the nation was first read?

The order of the day was then read, for the third reading of the Foley-estate bill, on which

The *Lord Chancellor* rose, and observed, that he thought it extremely improper, to agitate a question of so much importance at that late hour of the night, particularly as several Lords who meant to attend the third reading were gone away, not supposing that any further business would be transacted. His Lordship, therefore, wished that the order might be postponed till the next day.

This being objected to by the Duke of Richmond and several other Lords, the Lord Chancellor withdrew his motion, and moved, That the bill be referred back to the judges. This brought on a debate which lasted about an hour, when the question being put, the contents were 24, the non-contents 24. The question being thus seemingly lost for want of a single vote, the Lord Chancellor called for the proxies. The Duke of Richmond objected to this, as being against a standing order. The standing order was accordingly referred to, by which it appeared, that the House should not receive proxies in judicial proceedings. His Grace contended, that the present bill came within the order, as being of a private judicial nature. The objection being over-ruled, the proxies were called over, when there appeared five for, and three against it; so that the ultimate number for sending the amendments made to the bill to be reconsidered by the judges were 29, against it 27. The Duke of Richmond said, he disapproved so much of producing proxies in judicial or private decisions, that although he had the Duke of Leinster's proxy, he would not make use of it. The principal speakers in this debate, were the Lord Chancellor, Archbishop of Canterbury, the Earls of Sandwich, and Marchmont for the question; and the Duke of Richmond, and Earl of Derby, against it.

April 9.

The following protest was entered upon the journals on the negative being put to the motion yesterday, for an humble address to his Majesty.

“ Dissident, —

“ Because we think the rejection of the proposed address at this very time may appear to indicate in this House a desire of continuing that plan of ignorance, concealment, deceit, and delusion, by which the Sovereign and his people have already been brought into so many and so grievous calamities. We hold it absolutely necessary that both Sovereign and people should be undeceived, and that they should distinctly and authentically be made acquainted with the state of their affairs,

fairs, which is faithfully represented in this proposed address, at a time when our existence as a nation may depend upon us concerning a just idea of our real situation, and upon our wisdom, as making a proper use of it.

RICHMOND,	PORTLAND,
ABERGAVENNY,	EFFINGHAM,
THANET,	RADNOR,
ABINGDON,	ROCKINGHAM,
HARCOURT,	STAMFORD,
DE FERRARS,	MANCHESTER,
FITZWILLIAM,	PONSONBY,
J. ST. ASAPH,	CRAVEN,
DEVONSHIRE,	SPENCER,
BOLTON,	HEREFORD."

April 10.

Private business. Adjourned to the 13th.

April 13, 14, 15, 16.

No debates. Adjourned to the 29th.

April 29, 30.

No debates.

May 1.

No debate. Adjourned to the 4th.

May 4, 5.

No debates.

May 6.

Bill from the commons for the more speedy and effectual recruiting of his Majesty's land forces being read a second time, a short debate arose.

Duke of
Bolton.

The Duke of *Bolton*, stated several objections to it, among the rest, that in the clause which enables the commissioner of the land-tax to pay the bounty for impressing, it orders that forty shillings shall be allowed out of every pound.

Lord Chan-
cellor.

The Lord *Chancellor* apologized for the absence of the two Secretaries of state, in answer to an observation of the noble Duke who spoke last, and was for sending the bill to a committee, in order to rectify the blunder which should have been out of every three pounds; and added, if the commons rejected the amendment, on the idea that it would be an encroachment on their privileges, that would not be their Lordships' fault.

Duke of
Bolton.

Duke of *Bolton* replied to an explanation of the learned Lord, relative to the absence of one of the Secretaries of state, and said there were several other material objections to the bill besides the blunder alluded to.

Lord Wey-
mouth.

Lord *Weymouth* now appeared, apologized for his not coming down earlier, and said that he did not know that the bill would be opposed.

Earl of *Effingham* opposed the principle as well as several of the provisions of the bill. *Earl of Effingham.*

Duke of *Manchester* among other things, mentioned the great sickness which prevailed among the crews of the men of war at Portsmouth. He said he was just arrived from Portsmouth, and that aboard one ship (the *Revenge*) there was no less than 250 sick, and upwards of 1700 seamen in the hospitals. *Duke of Manchester.*

Earl of *Denbigh* said, he had likewise been at Portsmouth, and had made particular enquiries, but had heard nothing of what was mentioned by the noble Duke who spoke last. *Earl of Denbigh.*

Duke of *Manchester* in reply confirmed what he had before asserted, and said, there would be no occasion for the present bill, if the offers of the Whigs were accepted of. He was one of the number who had offered his assistance, but difficulties were started which prevented his intentions from taking effect. *Duke of Manchester.*

Earl *Gower* said such bills, whenever public exigencies made them necessary, were constantly passed since the Revolution. *Earl Gower.*

The House divided ; for the bill 22, against it 10.

May 7.

The order of the House, to summon their Lordships to attend on a motion of the Duke of Richmond, was then read ; when his Grace in a short speech, opened the grounds of his motion, which was substantially for a copy of all papers, relative to the accounts received of the equipment, sailing, and destination of the Toulon fleet.

Lord *Weymouth* stated some objections to the propriety of communicating matters of so delicate a nature, which might be the means of stopping such sources of information in time to come. *Lord Weymouth.*

The Duke of *Richmond* gave way to the force of this objection ; and narrowed his motion to the equipment and sailing only ; which was agreed to without further opposition. *Duke of Richmond.*

May 8.

No debate. Adjourned to the 11th.

May 11, 12.

No debates.

May 13.

Earl of *Shelburne* after a short preface, moved that the House do attend the funeral of the late William Earl of Chatham whatever day his Majesty shall appoint. Lord *Dudley* moved that the debate be adjourned till to-morrow, and the question being put, the contents were 16 ; non-contents. *Earl of Shelburne.*

contents 15. The main question put by Lord Shelburne being now put, the contents were 16, non-contents 16; and proxies being called for, the proxies for the original motion were 3, against it 4; so that the numbers for the attendance of the House of Lords on the funeral of William Earl of Chatham were 19, non-contents 20, proxies included.

May 14, 15.

No debates. Adjourned to the 18th.

May 18.

No debate. Adjourned to the 20th.

May 20, 21, 22.

No debates. Adjourned to the 25th.

May 25.

Second reading of the bill for repealing part of the 11th and 13th of King William, to prevent the increase of popery.

Bp. of Peterborough.

Bishop of *Peterborough*. As a friend to civil and religious liberty, I am free, my Lords, to own that I think there ought to be neither penalty nor restraint on the intercourse between God and a man's own conscience. I cannot therefore but disapprove of all laws which are calculated to oppress men for their religious persuasion; and to tempt any one with views of interest to trespass on his duty and natural affection, by depriving his father of his estate, or supplanting his brethren, is a policy, in my opinion, inconsistent with reason, justice, and humanity.

At the same time, my Lords, permit me to say, I am not so ignorant of the genius of popery, as not to know it is a very difficult matter to consider its religious principles altogether distinct from that political superstructure which has been raised upon them; and to the support of which, I cannot but fear, that should occasion offer, they might still be made too subservient.

Any alteration, therefore, in those laws which the wisdom of Parliament has thought necessary, from time to time, for the preservation of our church and state, ought not to be made without due deliberation; and altho' I profess myself to be a friend to the principle of this bill, yet I wish it had been brought in sooner in the session, that it might not have appeared to be hurried thro' both houses of Parliament; and that we might not only have had time to consider it ourselves, but to know the general disposition of the nation e'er it passed into law, for I hold it to be worthy your Lordships' attention not only to look into the real security of the constitution, but to prevent alarms of imaginary danger, with which ignorance

norance and malice have heretofore, and may again kindle such a flame, as the authority of law will find it difficult to extinguish.

But as there may be particular circumstances which might make delay inconvenient; I beg leave to submit to your Lordships' consideration a doubt concerning the operation of this bill.—As the law now stands a younger son may, by professing himself a protestant, deprive his elder brother of the estate. But after the bill before us shall have passed, May not an estate be so limited, as to descend only to a catholic; and an elder brother be incapacitated by the limitation, if he professes himself a protestant?

Provision was made by the act of King William for the maintenance and education of a child, being a protestant, during his father's life, at the direction of the Lord Chancellor; this part of the act is not repealed by the present bill; but, my Lords, what may be the condition of such child under the conditions of settlement, after his father's death? May he not be left destitute, because he is not a Roman Catholic?

These doubts I submit to your Lordships' better judgment; and trust that, if necessary, some provision will be made in the committee, to prevent the inconveniences that may hereafter arise, if they are not in time attended to.

Marquis of *Rockingham* said a few words to shew that the repeal of these clauses would but relieve a very dutiful and loyal part of the King's subjects from hardships, which it was disgraceful for any government to inflict. The reverend prelate had mentioned a particular effect which would be produced by the bill, as if, in some instance, it gave advantage to those people superior to what the rest of his Majesty's subjects enjoyed; but the bill had in fact no such purport; it only brought them back to a level with their fellow subjects at large, in a few certain points of religious toleration and security of possessions, whilst in a variety of other instances they remained in a situation much inferior to them with respect to privileges of religion, profit, power, and honours.

Earl of *Shelburne* followed the Marquis upon the same grounds, wishing that restraints similar to those now about to be repealed, had not reduced three-fourths of the people of Ireland to a state of wretchedness, tending equally to alienate their affections from this government, and to prevent an influx of wealth from that country to this. He wished that with a liberal toleration of religion there should be given to a people, who had demeaned themselves so well, a security and free disposal of their property. Further than this he

Marquis of
Rockingham.

Earl of
Shelburne.

would

would not venture to hint at or approve; and as the present bill did not go beyond that, or indeed so far, he wished it should neither meet with opposition or delay. He went a little into the history of the penal clauses, which the act was intended to repeal; and observed, that when they were first proposed in Parliament nobody approved of them, yet nobody had spirit enough to oppose them. He adverted to the case of a Mr. Molony, a priest of the Roman Catholic persuasion, who had been apprehended and brought to trial by the lowest and most despicable of mankind, a common informing constable of the city of London.—He was convicted of being a popish priest, and the court were reluctantly obliged to condemn him (shocking as the idea was) to perpetual imprisonment. His Lordship was then in office, and though every method was taken by the privy council to give a legal discharge to the prisoner, neither the laws then in force would allow of it, nor dared the King himself to grant him a pardon. He however with his colleagues in office, were so perfectly persuaded of the impolicy and inhumanity of the law, that they ventured to give him his liberty at every hazard.

The bill was upon this read a second time without further opposition.

Duke of
Richmond.

The other order of the day to read the Toulon papers. The clerk having read them, the Duke of *Richmond* said that in spite of every difficulty which had been thrown in the way to obtain information, and open the eyes of the people to the perilous situation in which they stood, he had persevered in his duty, and was convinced he acted perfectly right in so doing. Convinced of the inevitable ruin which must have ensued, had the same dangerous mad career of politics been pursued, he endeavoured to rouse the nation to a proper sense of its real state both within and without; and in the whole of what had been urged against this line of conduct, he was glad to see it this day refuted in the fullest manner, and that by an evidence no less authentic and decisive than the very papers now read. The only semblance of argument resorted to by the noble Lords in administration against agreeing to the resolutions moved in the committee on the state of the nation, was shortly this: "We, said the noble Lords, agreed with you, that the propositions now made are incontrovertible; are truisms; but we do not wish to give them a parliamentary sanction, lest it should expose our internal weakness, and thereby invite our rivals to break with, or attack us." What do the present papers prove? That ministers had in general a full and correct account of what was going forward in the French ports. I

there one of your Lordships, who can entertain a doubt, that France was not only well acquainted with the mutilated, imperfect information which came before this House, but was thoroughly informed of what was then held back.

His Grace observed, that early in the month of January, and regularly thenceforward to the last date, accounts had been transmitted to the office of the noble Viscount over the way [Weymouth] and latterly to the department for executing the office of Lord High Admiral; at the head of which the noble Earl in his eye presided [Lord Sandwich] of the armaments going on in the months of December at the port of Toulon. This information was full, uniform, and frequent, till the last ten days; and yet the noble Earl took no decisive step, or made any preparation whatever, to defeat the intentions of the French court.

It had been regularly the mode adopted on the approach of a war with France and Spain, more particularly since Gibraltar and Minorca formed a part of the dominions of the British crown, to dispatch a fleet into the Mediterranean, and the reason was, obvious; because the strength of either one, or both, of those powers was divided by nature. The Gut of Gibraltar formed this natural barrier. In the event of a war, therefore, it was always the policy of this country to avail itself of the possession of the fortress of Gibraltar, by stationing a squadron there, to prevent a junction of the naval force of France in the Mediterranean, in the first instance, with its fleet in the Western sea. The same conduct applied when France and Spain were united, or were expected to unite.

Before he proceeded further, he would be glad to know what was the reason that the information of the state of the Toulon fleet, which was so full, and in general correct, should have stopped short for the last ten days, previous to the account of its sailing, which appeared by the papers not to be known here till the 29th of April? He would assure their Lordships, that it was publicly in the streets of Paris, on the 17th of April, that the Toulon fleet had sailed on the 13th; how then came it to pass that administration had no certain account to the 29th; at soonest till the 27th? a space of full ten days, in which time a man might have hopped from Paris to London. His Grace allowed, that the fact might be well known to administration; but that they might not have thought it prudent to detach; if the latter was the case, then the situation of this country was truly deplorable. Our navy, when upon the former occasions an attack from France on these islands was said to be possible, if not probable; was

affirmed to be our only sure defence, our national bulwark; it was added emphatically by the noble Earl at the head of the admiralty, that it was the duty; and that no man was fit to preside at that board, who was not able at all times to have fleets superior to any that France and Spain united should be able to bring against us. Taking this public declaration on one hand, and opposing it with the inability to detach, from our home defence, would reduce the person who made this confident assertion to the dilemma of being accountable to the nation by his head, of assuring it that he would always have a superior fleet to any thing which France and Spain could bring against us. or that, having a fleet in our ports strong enough to admit and spare a detachment he had neglected to send one, after so many and so full repeated informations of the equipment, and at length the sailing of the Toulon fleet.

His Grace observed, from the papers on the table, that there were 16 men of war of the line at Toulon, or had sailed from thence; 25 at Brest, and 23 at Cadiz. Without, therefore, taking into account what might be in the French and Spanish West-Indies, or at home in other ports, he was fairly justified in affirming, that the naval force at sea, or fit for it, belonging to France and Spain, consisted of sixty-four or sixty-five men of war of the line, with a proportionable number of frigates. What had Great-Britain to this? Twenty men of war of the line under Admiral Keppel, eleven of which he saw leave St. Helen's, under Admiral Parker; one of which sailed under Admiral Montagu for Newfoundland, and another for the West-Indies; in all thirty three. He could not help observing, however, the very humiliating appearance it had, to see a vice-admiral of the red-squadron unaccompanied to his station, at the very eve of a war; and another admiral obliged to go in the same manner; nor at the same time of lamenting the fate of this country, which was reduced to running the hazard of trusting its flags aboard single ships; and of course, in the event of hostilities, subjected to the probability of capture. Taking this account to be as he had stated it, his Grace observed, in case of an union of the naval force of France and Spain, it would appear, that the whole of our fleet fit for service would be found to amount to thirty-three ships; while it was acknowledged that the navy of France and Spain amounted to sixty-four or sixty-five. He was as ready as any of their Lordships, to testify to the superior bravery and skill of the British seamen but he would be sorry to impose upon others, or suffer him-
self

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self to be imposed upon so grossly as to believe that with such a manifest disparity on our part, we should be ever able to meet our enemies with any prospect of success. Such an expectation was equally preposterous, improbable, and absurd; and he was the best friend to his country who endeavoured to point out at once the fallacy and danger of such vain, idle, and ill-founded suppositions.

The noble Earl would probably say, though we were able and willing to detach, that it was impracticable on account of contrary winds. He begged, therefore, to meet whatever might be attempted to be built on this circumstance: he could speak from his own knowledge, that at the time it was said the fleet was detained by contrary winds from sailing, that the Victory came round from Chatham, and that two men of war of the line had separately sailed from Portsmouth harbour for Plymouth. Why not then send the eleven? The fact, he believed, and he understood it to be such, that no part of the fleet had its stores on board, to proceed upon any distant service, which his Grace said, was totally inexcusable, and the ministers and first commissioner of the admiralty must have known some weeks before, if any such detachment could be spared, that the papers on the table pointed out the necessity of being every way prepared either for a short or long voyage.

His Grace said he must advert to the vauntings and boastings of the noble Earl [Sandwich] early in the present session, when a noble Earl [Chatham] now no more, and whose loss must be deservedly regretted by every lover of his country, told him, that we had not twenty ships of the line, fit for actual service; the noble Earl at the head of the admiralty answered, that we had thirty-five ready to proceed to sea at a day's notice, and seven at a fortnight; yet it had now come out, that the whole number, allowing for odd ships, at the end of six months, did not exceed that number; and that those in any state of forwardness or preparation did not exceed the other seven; so that the whole of the noble Earl's assertions amounted exactly in May to what they were meant to import in the preceding November; from which he drew this inference, that considering the different means used within the six months now alluded to, the deceased noble Earl was fully justified in his assertion, that we had not above twenty ships of the line fit for actual service in the month of November at a day's notice.

The noble Earl had but one answer, and that one he had once already given, to defend his breach of promise to the

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nation;

nation ; and which, by the bye, if true, he should have had the modesty to conceal ; that was, that seamen could not be procured on account of the loss of the supply we always procured in time of war from America. The noble Earl should have foreseen this eventual defalcation, or he was not worthy of the high post he occupied. He should have allowed for this loss, have provided against it, or shaped his measures accordingly. He knew, long before his late boastings, that that supply would be cut off ; consequently he had no right to count on it, or took credit for the present, though he knew it was a false one. His Grace concluded with moving, " That it appears to this House that his Majesty's ministers did receive intelligence at different times in the months of January, February, March, and April last, of the equipment of the Toulon fleet, which sailed under the command of the Count d'Estaing on the 13th of the said last month of April."

Earl of

Sandwich.

Earl of *Sandwich* said he lamented the charges made against him in his absence, at the time the present papers were moved for ; and the noble Duke had alluded to something which fell from a noble Viscount high in office [Weymouth] tending to acknowledge, that it would not be prudent to detach. He did not mean at present to trouble their Lordships on that part of the subject ; but just to remind them, that the question of detaching or not detaching was not before the House ; because, to enable the House to decide upon so important and delicate a question, the force, intentions, and disposition of our enemies should be known ; which, would be subjects extremely improper to be discussed in that assembly.

He was persuaded how little entitled a person of so trifling consequence as himself was to call for their Lordships' attention ; he, nevertheless, trusted to their Lordships' candour, that they would indulge him with an opportunity to exculpate himself from the personal charges made by the noble Duke.

As to the general censure thrown upon the conduct of naval affairs, and pointed personally to him, he begged leave to differ from the noble Duke in the application. He was no more answerable than any other individual in administration ; if the measures were wisely planned, he was entitled to share the credit ; if otherwise, to share the blame. If, on the other hand, the measures committed to his charge had been faithfully executed, as far as lay in his power, he must stand fully justified to the public. So far he was liable to answer, and no more. The noble Duke had lamented, that the ad-

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vice of him and his friends was not attended to ; the truth was, that France had been, for the two or three last years, acting a most insidious part ; and had done us more mischief than if she had actually declared against us !

As to the assertion made by the noble Duke, of what had fallen from him on a former occasion, he knew it was not regular, either to mention words used in a former debate, or to reply to them when mentioned. But he should waive the point of form, in order to shew to his Grace, that he did not wish to evade the charge. He would, therefore, for the sake of appearances, consider the words now alluded to, as urged in an adjourned debate. The words imputed to him were, that he said, “ that the person who held the office of first commissioner of the admiralty ought no longer to hold it than while he had a fleet, on every occasion, equal to any that France and Spain could bring against us.” He observed, that the noble Duke, misstated or misrepresented his words. He never said any thing like it ; what he said was, “ that he thought administration ought, at all times, to have a fleet at home superior to France and Spain.” If we had not such a fleet, which he by no means agreed to, he certainly would be liable to his share of the blame, as an individual composing that administration ; but not in the character of First Lord of the admiralty.

The noble Duke had made another charge, which he thought himself bound to reply to, which was by implication, supposing that what had fallen from him in a former debate, in answer to a noble statesman, now no more [Lord Chatham] who insisted in November last, that we had not twenty ships of the line ready for actual service, could not be true ; that we had thirty-five ships of the line ready for sea, and seven more in great forwardness, the crews being more than half formed ; and the proof on which the noble Duke rests his charge is, that we have not now more than that number. If the noble Duke's proof fails him, his argument is at an end. His Lordship said, there were twenty-one, under Admiral Keppel ; fifteen gone to Plymouth ; the Mars, since that time, was condemned ; another was burnt to the water's edge ; two were at Plymouth ; two more had part of their crews shipped on board of the grand fleet ; the Terrible, Sir Richard Bickerton commander, had 240 sick a-board, and was therefore at present, unfit for sea ; two others were cruising ; one paid off ; one sailed to the East-Indies, and two came into dock, in order to undergo a slight repair ; so that the whole number fit for sea was neither twenty-five nor forty-two,

two, but forty-nine : of course the admiralty was not quite idle, from November till May ; nor was it any proof now, that because we had forty-nine ships of the line, most of them fit for actual service, that we had not twenty, or more than twenty in November. It might be said, that although we had forty-nine, it was not equal to the combined fleets of France and Spain ; on this he could only observe, that it was not certain that Spain would join France ; or if she did, could any one say what state the force thus united was in ? Friendly assurances from the court of Madrid were received : but even supposing the worst ; besides the forty-nine ships last mentioned, ten more had been put in commission for a considerable time, and were compleating their crews, which amounted to fifty-nine : several more ships were ready to take crews aboard ; and if seamen could be procured, he had no dread of his being able to procure ships enough for their reception ; add to this, that there were nine ships of the line more now in America, or on their respective stations in the West-Indies.

The noble Duke seemed to lay great stress on our neglect in permitting France to collect so formidable a naval force : besides one reason already assigned [their perfidiousness,] he wished the noble Duke would recollect, that France, for the last three years, had, contrary to its constant policy heretofore, directed its chief attention to its marine ; and had, by that means, put it on its present respectable footing. But even still, if seamen could be had, there was very little to be dreaded from their naval power. The noble Duke, he observed, lived in an extensive maritime country, where it might be presumed, he had great influence. The most essential service he thought, at this conjecture, when he had every reason to believe a war to be inevitable, would be, for his Grace to exert himself, and support the naval officers in their endeavours to procure seamen. The noble Duke was Lord Lieutenant of that county ; and therefore required no aid from government, in order to strengthen his hands.

The noble Duke says, if we are able to detach a fleet, it should have been sent to Gibraltar to watch the Gut, and prevent a junction of the French and Spanish, or French or Spanish fleets from the Mediterranean to the ocean : and the reason assigned by him is, that it was the constant practice, in former times. If his Grace rests his argument there, he is most certainly mistaken ; for it was not even so at the approach of the late successful war. We did not send a squadron there, though hostilities had commenced at sea for some months.

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His Lordship concluded with observing, that he wished the question should be negatived, tho' he looked upon himself prevented, from his situation, and the personal application, from doing it.

The Duke of *Richmond* replied, that the noble Earl took a responsibility on himself, when he assured the House, that it was the duty of the first commissioner of the admiralty to have a fleet at all times superior to the combined force of France and Spain. The noble Earl had contradicted that assertion. To preserve parliamentary decorum, all he could say was to appeal to their Lordships, whether such an expression as that imputed to the noble Lord, had not more than once come from him. But, in his Lordship's defence, he perceived he had blended another matter, by way of justification, which to all substantial purposes confirmed what was imputed to him, as if he had acknowledged what he now so earnestly denied. — Says the noble Earl, I am not individually responsible; I have acted in concert with others, and am willing to share the blame, in common with the rest of his Majesty's confidential servants. Now, how does the case stand? The noble Earl himself acknowledges, that administration ought at all times to have a superior naval force to that of France and Spain; he allows we have not such a force; he consequently confesses that administration are culpable; and being so, according to his own explanation, makes himself responsible for a neglect of duty to his Sovereign and his country, and for every consequence which may follow his neglect or incapacity. But, independent of this circumstance, he has not been less industrious to convict himself in his official capacity. A superiority at sea, he grants, ought to be maintained; that superiority has not been maintained; why then remain in an office, to execute ministerially, when he must know that those who have acted with him have failed in their first duty, that of having a superior fleet to any that France and Spain can bring against us?

As to his Lordship's answer to the state of the navy, in November, by giving a list upon paper of forty-nine ships of the line, in his opinion it only served to confirm the assertion of the deceased noble Earl; for, with all his Lordship's ingenuity, the total, after deducting the ships condemned, burnt, disabled, repairing, stripped of part of their crews to be put on board others, &c. did not amount, on the 20th instant, to more than about thirty-five or thirty-seven ships of the line, ready to proceed to sea, at a day's notice, and seven in a fortnight. He desired the noble Earl to contradict him,

him. If so, then it was a fair, it was an inevitable conclusion from the premises, to say, that either the state of the fleet in November was fallacious, or that the noble Earl, with the aid of a six months press, during the two last of which it was carried on with all imaginable vigour, had been idle, had done nothing, or next to nothing; though, from the evidence now on the table, he was fully apprized for the greater part of the time, that France was arming, and preparing to strike a blow against this kingdom, or some of its dependencies.

As to what had been recommended to him, in order to assist in procuring seamen, which the noble Lord acknowledged were so much wanting, he was ready to do every thing in his power. He disliked the mode of manning our navy by a press; but necessity, grounded on the preservation of the state when it existed, superseded all other consideration. The time was now come when we must contend for the very existence of this country as a free state. He disapproved of a press, when the purpose it was intended to serve was the enslaving our brethren in America; but as soon as the French minister, by drawing the mask aside, had declared the intentions of his court, he began to entertain very different sentiments; and as a proof that he did so, he appealed to the noble Earl, who as a minister, must know, that he offered his services, and engaged to raise a regiment; stipulating no other condition, but that he might be permitted to serve as a professional man, without pay or any species of emolument whatever. It was not thought proper to accept of this tender; but his duty to his country nevertheless pointed out to him to advance its interests to the utmost of his ability, without waiting to do it in the manner most agreeable to him.

Earl of Bristol.
Ans.

Earl of Bristol. In the weak state of body I am in, your Lordships will easily believe it must be a very strong impulse of the duty I owe my King and country, that could induce me to appear before your Lordships lame as I am, and intrude on those deliberations which this country now so much stands in need of. I assure your Lordships that all the bodily pains I have gone through, ever since I had the honour of being last in this House, great as they were, were not equal to that which I felt in my mind, at being deprived, in so critical and dangerous a moment, of giving every aid and assistance in my power in my different capacities, to endeavour to extricate this country from the deplorable state it is reduced to, through the fatal counsels of those who have been intrusted with the affairs of this kingdom: and though, my Lords, it may appear like presumption in me to flatter myself that any thing I can offer

to your Lordships here would have the least weight ; or that I can be weak or vain enough to think that my opinion would influence a single vote this day : yet, my Lords, permit me to say, in the situation of things now, I look for little more than that satisfaction I ever have in doing my duty to my King and country, and declaring my opinion in this open and disinterested manner, that I wish every man in the kingdom would do with as little view to their private interest, connections and ambition, as I have ever done, and will ever do, since all I seek, is the good opinion of my country : and I am sure the noble Duke who has this day made this motion, has set us a good example, by his indefatigable labour and perseverance, for the good of his country, which must justly entitle him to the admiration and love of every one.

My Lords, the noble Duke has so fully expatiated on the two principal heads of his motion, which are, first, to prove the intelligence received regularly ever since the 3d of January, 1778, of the fitting of the Toulon squadron, till the 13th of April last, of their sailing ; and our never taking any steps to prevent their sailing, by having a squadron at Gibraltar, or ever sending orders for any to sail till the 20th of this month.

Secondly, by such omission, our having effectually deprived the colonies of any security from that squadron, left our trade and even our own coasts, exposed to the insults and attacks of that squadron.

And, my Lords, what has fallen from the noble Lord at the head of the admiralty, in opposition to these motions, being, in my opinion, still stronger arguments for the resolutions moved for, I must observe to your Lordships, that it is notorious, though we have been near twenty months preparing for a war with France, that, till within these six weeks, we have never had a ship make any attempt to look into Brest, to observe what that fleet was about ; till the Bienfaisant the other day was ordered ; but whom the French never suffered to approach the port. Nor can I learn that we have ever had a ship or frigate look into Toulon, although that fleet has been fitting ever since November 1777 ; and that it is certain that any ship by standing into the shore, between Cape Scie and the Cape Sepet, may know as well what the French ships are about in the road of Toulon, as you may from the walls of Portsmouth, what they are doing at Spithead ; and it is notorious, that part of the French fleet were in the road of Toulon ever since January ; and between that time and the 13th of April, that they sailed, you have had no ships to watch them ; and surely, my Lords, had our fleet been in the

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boasted situation we have heard, and that there had been even 35 sail of the line ready for immediate service in March last, as the noble Lord at the head of the admiralty declared there were, why were not twelve or fourteen ships dispatched to the Mediterranean, which must have effectually prevented the Toulon fleet from passing the Straights; and I believe, would have effectually prevented their moving from Toulon. No, my Lords, the French fleet would never have stirred, nor would any squadron have attempted to have gone into the Straights, whilst ours were lying at Gibraltar, or in the Straight's mouth. As certainly, had any ships sailed from Brest, you might then have spared others to follow those, and join your own, providing you had ships off Brest, to watch their motions also. Your Lordships must all remember, that Admiral Osborn, in 1759, kept the French fleet a whole winter from passing the Straights, by his diligence in cruizing for ever in an easterly wind: and though that since was fatal to his life, yet it not only kept the French from sailing, but he took three of their ships, by which he ruined that intended expedition, and obliged the rest to return to Toulon, having locked them up for some time in Carthage. I was one of that squadron, and cannot think any of your Lordships can have forgot that memorable service, except the noble Lord, who might have profited by the example, and by sending a squadron to the Mediterranean, have saved himself the shame which I think the ignorance of the present situation of the Toulon fleet now covers him with; as also, the censures, to say no more, with which his fellow-subjects must for ever load him, should any blow be given by that fleet: nor will any providential impediment, which may occur to prevent that squadron as yet from acting, disculpate his Lordship and his brethren: their inactivity, after the wanton profusion of the public money, remains the same, and renders them equally censurable, equally culpable.

The noble Lord told us, in March, he had ninety frigates, to replace those with Lord Howe, if any were wanted; if so, why were not two or three sent off Toulon, two or three off Brest, and one to attend the motions, at a distance, of the enemy's fleet when sailed, by which you might have had almost a certainty, of their destination. At present you know not where they are: they are on the coast of Barbary; they are off Minorca; to-day they are returned to Toulon; in short, they are in a fog, in the clouds.—Is this ignorance to be borne, my Lords?—My, Lords, if we had not frigates, at least I would have had some light vessel hired, if only a clean tartan,

tartan, to have kept them company till they passed the Streights; there was time sufficient to have had that executed.

My Lords, it turns out there were no frigates fit for service. Why not send one of the lightest line of battle ships, or two, for that important service, instead of keeping them cruizing at a great distance from the Channel, where they could neither protect our coasts from insults of the American privateers; nor could they protect our trade, or even be a watch over the motions of the enemy's fleets in any part. So much, my Lords, for the wise conduct and distribution of those few ships fit for service, which I am positive, till within these eight weeks did not surpass twenty-two sail of the line here in England: but instead of this, my Lords, the services of every kind were to be neglected and postponed, and even the trade delayed with their convoys, till the first Lord of the admiralty could shew his Majesty this boasted fleet; and for that purpose rendezvoused them at Spithead, where they ought at this time never to have been collected; but the Plymouth ships should have remained either there or at Torbay, ready for immediate service: instead of which, they are brought all to Spithead, where there was neither beer nor water sufficient for such a number, and locked up afterwards, as your Lordships see, by the westerly winds.

Your Lordships will remember this fleet has been sitting since November 1776; your Lordships will remember that it was March 1778, that the first Lord of the admiralty told us he had then thirty-five sail of the line ready for service; and your Lordships will please to remember, that from the year 1771, we have always had twenty sail of guardships of the line, which his Lordship always boasted were ships fit for service, not hulks, useless as they were left to him; and that, after all this, and with drawing from every service every ship that could be collected, and straining every nerve, there could only be thirty-one ships of the line produced to his Majesty. My Lords, I am happy that his Majesty has been pleased to honour his fleet with his royal presence: no man can respect or love his Sovereign more than I do; but I cannot say that was the moment to have chosen, to have collected the fleet, to have shewn his Majesty, by which means every thing must be postponed, and every service of the state neglected; and for what? Only to shew his Majesty thirty-one ships; the poor remains of once so great a fleet! Nor was his Majesty told how these were fitted and manned; that even two of the capital ships of that squadron, intended for the two senior

flags, were only tolerably manned a few days (three or four) before his Majesty's arrival. The Prince George, Admiral Keppel's ship, having had near 300 men changed; and the Queen, Admiral Harland's, between one and two hundred vagabonds exchanged for as many picked men; and where could these men have been so picked, had not other ships been dismantled for them? the Resolution, Burford and Centaur, and two admirals just returned from a three years station each, whose men were also taken, I mean Admiral Gayton, from his Jamaica station, and Admiral Mann from the Mediterranean. These are facts known to the whole fleet; exclusive of this, there is not a seventy-gun ship which does not go out with fifty seamen less than her war complement. My Lords, is this being manned fit for action? Is this being fitted after two years preparation? But, my Lords, many and many admirals and captains have complained to me of this reduction in time of war. His Lordship will perhaps tell us many have approved of it to him. No wonder they have so; they knowing the noble Lord's method of acquiring approbation. I desire no such. I have nothing at heart but the good opinion of my country, and to serve it whenever my health will let me.

But, my Lords, to return to the principal point of this debate: I say again, if this fleet had been thirty-five sail of the line, well fitted and manned, with other ships which I must suppose were preparing to receive men, what is the reason that 12 or 14 sail of the line could not have been detached for this most essential service of all, that of preventing the Toulon fleet passing the Streights, and attempting a junction with the Brest fleet, or any other service they were intended for? They must know that they could have had ships in time to replace that small number on any emergency, had they taken the proper methods for manning them; but, upon my word, my Lords, there seems to me to have been a total neglect of every thing, except making a parade of these few ships to the public, merely to endeavour to delude people, as if what fell from me and a noble Duke in my eye, some time early in this session, had not been founded; but unluckily for his Lordship, the state of that fleet, and their insignificant numbers, compared to what they ought to be, has proved every syllable I pronounced relative to them. My Lords, your Lordships will all do me the justice to recollect that when I was upon this subject, when the state of the navy was debated, I told your Lordships that I would not then enter more minutely into the detail of the navy, which I could have done, because a noble Lord high in office, had told us we were at the eve of

a war.

a war. My Lords, there is no such restraint on menow. The noble Lord has exhibited the state of the navy to be indeed a most melancholy one, since all he could produce was thirty-one ships. When, give me leave to tell your Lordships, that when Lord Hawke left the admiralty, I soon after came to that board, and being very minute in every daily occurrence, took an exact list of the navy, as they were in the year 1771, when they stood thus :

81 ships of the line fit for service.

14 building.

12 repairing.

7 bought of the foreign ships.

This makes

114 of the line.

32 were in a doubtful state, and those I
looked upon as lost.

146

40 or thereabouts have been since sold and
broken up.

So that 106 ships of the line were remaining.

Many, it is to be supposed, have been built since 1771 ; the noble Lord has had 3,500,000*l.* and more for building, repairs, &c. and yet, my Lords, what ! he now confesses he has but forty-nine ships in all fitting for service, when all is collected in England ! Is this possible ? Is it to be borne ? What is become of the ships then ? or what is become of the money ? But we have neither the one nor the other, nor any satisfaction to the public for either. My Lords, here is the navy list in my hand, by the board's authority, for May 1771, they stood thus : 139 ships of the line ; and of frigates, vessels, yachts, &c. 243 ; in all 382. A prodigious navy indeed---all dwindled to nothing.

My Lords, pardon me if I am warm upon this subject ; I cannot help it. When I see my country so used, and it is in a department that forty-three years service surely entitles me to know full as much of, at least, as the noble Lord now at the head of the admiralty can.

But, my Lords, 'tis said there are ships, if men could be had. Great God ! What language, to be held here ! No men !---I say there are men, if proper means were used to get them, and a proper distribution made of them when got : but, alas ! there is no knowledge in any thing done. But, my Lords, if they want men immediately, why don't they make seamen of all their marines, and put the officers of marines on shore, to recruit ; they will sooner and more easily

get

get men by recruiting for new marines, than you can get such a body of seamen. Borrow two or three battalions of regulars for your fleet that is to be at home, for the present, you can always land them when wanted ; and I remember that was the advice of all the great sea officers in 1749, when there was a scarcity to man the fleet. Sir John Norris, Sir Charles Wager, and others, were called to the cabinet on that question, by that great minister Sir Robert Walpole ; and they gave that as their advice, and it was followed in part.

But, my Lords, notwithstanding all these errors, all these negligences and ignorances, I am not one of those who despond ; I trust the time our enemies have as blunderingly given us, and the alarm the whole nation has now taken, we shall yet extricate ourselves. I have not the least doubt but if we are let to come to action, we shall beat the French, as we have ever done. I most heartily rejoice that the magnanimity, judgment and goodness of his Majesty has called forth that brave officer to command his fleet ; I rely on his skill, bravery and conduct, if let to act, as I do in all the officers and men under him ; and I will venture to say, his Majesty could not, in all his kingdom, have a better man to command his fleet, either on shore or afloat, than Admiral Keppel.

My Lords, I am not one of those either who think France will dare to make more than an appearance for a descent in England ; that they may do, by way of endeavouring to divert our other operations ; and I am persuaded that had we ministers capable of properly distributing and conducting the force still left in this kingdom, that we should yet be able to revive that former superiority we had last war, and put a speedy end to all the threats and menaces of our enemies. But we must have a change of conduct indeed for this, and I see no such : therefore, my Lords, I shall this day vote for the resolutions moved for by the noble Duke.

Duke of
Bolton.

Duke of *Bolton* said, it was no longer a question whether exceptions should be made in favour of this or that man. When the salvation of the country depended upon it, every man's assistance was due ; and if necessary, must be compelled. But such a necessity could not have existed, but through the gross ignorance in maritime affairs, of which the noble Earl at the head of the admiralty had exhibited such repeated proofs. Severity without effect ; and indulgence without favour. He spoke particularly of the absurd conduct of the noble Earl at the time of the declaration of the French minister, which was little short of a declaration of war. How did the noble Lord act upon that occasion ? He suffered two

or

or three days to elapse before he gave directions for a general press; by which means the seamen had time to get out of the way; and when he did issue his orders, it amounted nearly to a total prohibition or suspension of commerce; for it swept the crews off all the outward bound vessels, by which our trade was greatly hurt; the admiralty board were obliged to relax upon repeated applications from the merchants; those who should have been pressed got out of the way; and, in fine, the effect of the press was in a manner totally defeated; for instead of procuring six or eight thousand men, which was the usual number got at the eve of a war, he was well informed, that the first fortnight's press did not procure more than one thousand able seamen.

His Grace dwelt a considerable time on the number of men that should be aboard a 74, which, he said, should be 650. He moved, that an order of council made in the year 1760, which established the complement at that number, should be read. To talk, therefore, of such a number of ships being manned when their complements were not full, was idle and delusive, and could only originate in intentional imposition. He was extremely severe on the conduct of the noble Earl at the head of the admiralty; and attributed the present war, not to his counsels as a minister, but to his ignorance and incapacity as an official man.

Lord *Dudley* rose, he said, to defend the noble Earl. His Lord *Dudley*. defence was founded upon the testimony of his own eyes, when he accompanied the noble Earl in one of his marine excursions to the several dock-yards; and on a conversation which he had with one Wells a builder, who refused to have any thing to do with the noble Earl; because, said the builder, his Lordship is so extremely hard in the contracts he makes with the builders, that they must lose, were they to undertake them at his price. The noble Viscount then moved the previous question; not, as he ingenuously owned, to negative the motion, but to postpone the further consideration to a more fitting opportunity.

Earl *Bristol* replied a few words, and ended with saying, *Earl of Bristol*. he would trouble their Lordships no more---he was satisfied, whatever was the fate of this question, his country's voice would go with him.

Duke of *Richmond* closed the debate. He said, he felt *Duke of Richmond*. sincerely for the noble Earl at the head of the admiralty, who had this day, for the first time, been deserted in the midst of his distress by his colleagues in office. He called upon administration to rise and say, whether they had deserted their
mea-

measures, as well as the noble Earl; or, knowing them to be no longer defensible, upon any ground of reason or policy, were determined to persevere to the end, and hang by their places, though national destruction should be the consequence? If the latter was the case, he hoped that the House, whose confidence and favour they had all along abused, would take the proper notice, and interpret their silence into a tacit acknowledgment of their total incapacity. If, on the other hand, ministers should be silent, and be supported by a majority of that House, the nation was lost, and their Lordships would be answerable to the public and posterity for the consequence. The forms of the constitution, and their Lordships assembling in that House, was no better than a solemn mockery of the nation. The other House were known to be at the devotion of the minister; if, therefore, their Lordships had nothing to do, but to pass the bills presented by the other House, and that no redress was to be had but from those who were the authors of the public misfortunes, he saw no service parliament could be of. In such a critical state of affairs, when every thing within and without portended public calamity, he desired their Lordships to look forward to their own safety, and prevent those mischiefs which have so often followed the mal-administration of the government of this country.

The House called for the question, and divided. For the previous question 49, against it 34.

Duke of
Richmond.

The Duke of *Richmond* moved the following resolutions, which were lost by the previous question, without a division.

That no orders were issued until the 29th of April last, for any fleet of observation to attend the motion of the said Toulon fleet, and that no fleet did actually sail until the 20th of this present month of May, when eleven sail of the line left St. Helen's.

That if the naval strength of this nation were in the respectable state of superiority in which it hath been represented to this House, his Majesty's ministers are blameable for not having, according to the constant practice of former times, and in similar circumstances, stationed a strong squadron in the Mediterranean, to observe the motion of the Toulon fleet, and to prevent the junction of the marine forces of the house of Bourbon from the ports in the ocean and Mediterranean sea, by which neglect the principal advantage to be derived from the expensive fortresses of Gibraltar and Port Mahon is lost to this nation.

That if the navy of Great Britain, after such early and full notice of the preparations in the ports of France and Spain, given to this House from the throne at the opening of this session, and after the liberal grants of Parliament for many years allotted to this service, be not in a condition to support such a decided superiority as may enable us to make detachments without endangering our security at home; those invaluable out-lying possessions, on which the wealth and glory of this nation depend, must be exposed to the greatest perils, and even our internal safety be ultimately endangered, whereby a crime of the greatest magnitude is imputable to the ministers having betrayed a trust of the greatest moment, and which called the most loudly for their attention, as the very first object of care to a British minister.

May 26, 27, and 28.

No debates. Adjourned to June 1.

June 1.

No debate.

June 2.

Earl of *Radnor* observed the great inconvenience felt by the House whenever the King came, in consequence of the croud of ladies admitted, moved, Earl of *Radnor*.

"That his Majesty's surveyor general do take care and give orders for erecting a gallery over the lobby door of this House, and that he take notice thereof from this day."

Agreed to.

Earl of *Derby* begged to know from some of the King's servants what had been done in consequence of the convention at Saratoga, and why the army that surrendered there had not arrived in England? Earl of *Derby*.

Lord *Weymouth* declared himself incompetent to answer; but said, if the noble Earl had given him a day's previous notice, he would have made himself master of the question to have been able to have spoke to it. Lord *Weymouth*.

A conversation continued for a few minutes, in which the Dukes of Manchester and Richmond and Earls of Denbigh and Derby took a part; but the House shewing an earnestness to enter upon the order of the day, the Earl who began the conversation, informed their Lordships, that he should decline troubling them farther till that order was disposed of.

The order of the day for the second reading of the bill for settling an annuity on the descendants of the Earl of

Chatham was accordingly moved, and being read a second time, and moved to be committed,

Duke of
Chandos.

The Duke of *Chandos* said, he was compelled, by his duty as a member of that House, and from a regard to his country, to oppose the passing of the bill. His objection, he said, would not be direct against the principle of providing for the family of the deceased Earl, but against the duration of the provision.

His Grace said, the ground of objection, was the inability of this country to encrease the additional burthens under which it now labours; the immense national debt; the great interest paid to the public annuitants; the prospect, nay, almost certainty, of a foreign war; all these, he said, furnished the most cogent reasons, and strongest incentive to public œconomy. This was not a time to scatter the national treasure with a profuse or careless hand. If the bill had made a provision for the present noble Earl and his descendants, he should not, probably, have opposed it; but it was framed so, as to give the family a perpetuity of 4000*l. per annum*. Grants in perpetuity were, he said, taxes in perpetuity on the subject; and ought therefore to be cautiously and rarely ratified by Parliament. The people were already taxed very heavily, and from the present situation of public affairs, the exigencies of state might make it necessary to impose additional burthens, on which special consideration, it behoved their Lordships, as the guardians of the state and nation, to permit no new tax to be imposed, unless warranted by evident necessity.

He disapproved of the bill on another account, that of precedent; as it would open a door for applications of a similar nature, from men in high stations; from men greedy of emolument, who would be ready at all times, not to rate their services at their true value, or their rewards according to the abilities of the state, but to their own inordinate desires, and the means of gratifying them; or having the art of rendering themselves popular, without perhaps a tythe of the deceased Earl's merit, might in an unguarded moment, procure similar grants till the load of taxes so created would become insupportable. His Grace, in the course of his speech, said, that if the rule of rewarding men in perpetuity should prevail, without disparaging the services of the deceased Earl, there would be found several persons now living of equal pretensions. He could name more than one man in that House—one of them, a noble Lord, by whose valour

and skill in his profession, it was probable, their Lordships were in a capacity to deliberate and attend on the present occasion [Lord Hawke]. The commander of our forces, during the late war in Germany, had, besides, performed very signal services for this country; yet neither of those gallant commanders had annuities settled upon them in perpetuity. His Grace said, he was not averse to the principles of the bill, and only objected to the manner and the time, the granting a perpetual rent charge on the eve of a bloody and expensive war: the first was an objection he would not give up; and if a perpetuity was insisted on, he would feel himself obliged to give the bill a direct negative. If, therefore, the present bill should pass, the public finances must be loaded with additional burthens, which it was by no means in a state to support; or injustice must be done to those of equal merit, but not so high in parliamentary favour. If, indeed, the recommendation had originated with the Sovereign, it would have come properly, because it might be properly restrained. By this reservation, his Majesty would have it in his power to reward proper objects, and keep the only precedent existing, that of the great Duke of Marlborough, within its proper limitations.*

Earl of *Abingdon*. I rise, my Lords, to express my real concern for the opposition that has been given to this bill: an opposition not only ill-founded in itself, but, I fear, is not much to the honour of this House. Earl of
Abingdon.

I say, my Lords, that this opposition is ill-founded; for after the Commons, who are the purse-keepers of the nation, have thought fit unanimously to apply the public money to

* His Grace made several other observations, all which went substantially to the following several points; to put a negative to the bill, for he proposed no amendment; to suggest the impropriety of making it perpetual, while his arguments were against the bill entirely; to shew that the nation was not equal to make it perpetual, while he seemed to wish that the provision might be made as long as the title of Chatham continued in the descendants of the living Earl; to assert, that Lords Hawke, Amherst, Prince Ferdinand of Brunswick, and some others, had performed as great services for this country as the late Earl of Chatham; that the King on the throne, for the time being, was the best, or rather only judge, of the deserts of the servants of the public: and to hint to Parliament, that the bill was far from being an acceptable present at the Queen's house.

this service, opposition on this ground comes with a very ill grace from us.

But, my Lords, what is the reason given for the opposition? It is said, that the nation is overloaded with debt, and cannot bear the expence. Indeed, my Lords, this is a weighty reason, if it were better applied. Look into the papers now upon your table, you will there find millions that have been squandered away. Look into your journals, and you will find those very squanderers protected, by the dead majorities of this House, even from censure. And, my Lords, shall we turn our eyes from a vicious profusion, and look with œconomy upon a virtuous application of the public money? No, my Lords, let us not by such a contrast of conduct, expose ourselves to so much censure.

I have said too, my Lords, that this opposition is not for the honour of this House. Sorry am I to find a greater spirit of liberality among the Commons than is to be found among the Lords.

What they (I mean the Commons) have done upon a great scale, we would confine within a lesser circle; although too, my Lords, the object of their bounty is one of the members of our own body.

I trust, therefore, my Lords, that this motion will be withdrawn; that it may not be said, that whilst we are giving pensions, titles, and preferments to those who deserve the axe or the halter, we are withholding the reward of services from others, who have a claim upon the public to it.

Duke of
Richmond.

The Duke of *Richmond* said, he agreed with the noble Earl entirely on his ideas respecting public œconomy. He was perfectly satisfied there never was a time when enquiries into the expenditure of public money was become more necessary; because there never was a period at which public profusion was so much countenanced; nor at which this country called for a more strict frugality. He thought, however, that at the conclusion of a session was no proper time to set about a reformation. Several endeavours had been made relative to this subject, but they were all strangled in their birth, by the previous question. If the noble Duke was nevertheless serious in his opinions, and meant to abolish sinecure places; to strike off additional salaries, &c. he was very willing to co-operate in that business with him, and to give him every assistance in his power; but not on the present occasion, when their Lordships were debating upon making a provision for the family of a man who had

had rendered such signal services to this nation. Such instances of national gratitude were necessary; and though he did not coincide in opinion, at all times, with the deceased Earl, he could not but consider him as a great man, and a public character, whose services were well deserving that tribute to his memory, the present bill was about to pay. He perfectly agreed with the noble Earl, who spoke last, that the present set of ministers rather merited the axe or halter, than the honours and rewards which had been so profusely lavished upon them; and yet, what they possessed already was not deemed sufficient: for one of them [Lord North] he understood, was shortly to be appointed to a sinecure place of 5000*l.* a year, that of the wardenship of the cinque ports. Was the noble Duke, who opposed the bill, serious? If he was, why not promote an enquiry into sinecure places, and thereby render an essential piece of service to his country, by endeavouring to procure a total abolition of them? This would shew, that the noble Duke did not mean to use the argument of public œconomy and public inability, only one way; it would prove that his opposition was to things, not persons; and that he was solely actuated by public motives, not private considerations: in short, to testify, that as he knew what faction was capable of doing, he was resolved to prevent its effects, without any regard to persons or parties.

Lord Chancellor opposed the principle as well as provisions of the bill; he did not approve of making it either a temporary or perpetual provision. He did not wish to take off from the services of the deceased Earl; they had been fully acknowledged by his Sovereign, and amply provided for. The noble Earl, when he first retired from office, had a pension of 3000*l.* *per annum* settled on him during his own life, and that of his lady and eldest son; a provision, let him be permitted to say, fully equal to the services performed by the deceased Earl. In a few years afterwards, his Lordship received a further mark of his Sovereign's bounty, by being called into a very high post, attended with great emoluments [lord privy seal], when it was well known that his Lordship's extreme bad state of health rendered him very incapable of assisting in his Majesty's councils. Those, he contended, were fully adequate to his services.

The only precedent was that of the Duke of Marlborough. The Duke of Marlborough's abilities as a statesman and a general were conspicuous. He was appointed ambassador, to negotiate and settle the terms of the grand alliance, which,

which, in its progress, afterwards broke the power of France, and set limits to the ambition of Louis XIV.——yet when, by his great talents for negotiation, he had effected so desirable an event, as bringing Holland and the German powers into the alliance, the queen having settled 5000*l. per annum* during her own life, sent a message by Mr. Secretary Harley to the House of Commons to make it perpetual. The message and proceedings on it he would move to have read; at present it would content him to observe, that after a full consideration of the royal message, the Commons refused to comply; and it was not till four years afterwards, after repeated victories, and rendering his name celebrated in all parts of Europe, and a terror to France, that parliament thought proper to make the queen's grant perpetual. None of their Lordships had a fuller sense of the services of the deceased Earl than he; but he presumed to say, that the precedent of the conduct of parliament, respecting the Duke of Marlborough, was a good ground, on the present occasion, against establishing a new precedent, which might, in times to come, be productive of great impropriety, inconvenience, and mischief.

But though every other objection against the bill were done away, the time was totally improper, for several reasons. He heartily united in opinion with the noble Duke who spoke first in the debate, that this was not a proper time to be lavish of the public money, when we had the most urgent calls for it; when the strictest œconomy ought to be observed throughout every department of the state; and that so great a sum as 4000*l. per ann.* was to be given, not to the person who had performed the services, but to his family, and that at the end of sixteen years. This with me, says his Lordship, is a circumstance which operates most powerfully against the bill; why not make this provision in his life-time? The truth is, such an expectation did not exist; nor, were it made, would it probably have succeeded—The answer would have been, The noble Lord is already provided for; he has acknowledged his being contented with what his Sovereign has already done for him; and, since that period, except in the instance alluded to, he has not been in a situation to serve his country, nor, of course, to seek further reward, on the ground of subsequent merit.

He said he never could agree with the sentiments of the noble Earl, who spoke second in the debate, that the Lords, by either amending or rejecting a money bill, thereby in-

vaded the province of the other House. He would never subscribe to such a position; for he was satisfied, that their Lordships were as much trustees for the people, as the Commons; they were, besides, either individually, or collectively, materially interested, both as contributors and as a legislative body. He did not see on what foundation, as had been well observed, by the noble Duke who rose first in the debate, that their Lordships could with justice pass the present bill, while a brave admiral, one of their own body [Lord Hawke] whose naval services could not be too highly extolled; and a most able officer at the head of the army last war [Prince Ferdinand] went unnoticed and unrewarded, in the manner now proposed. As to the plea, that the Commons had passed the bill, and that his Majesty assented, he wished their Lordships to consider, that the matter was first agitated in the other House, of a sudden and at midnight; that the address to the King was of course moved hastily, and as hastily carried. His Majesty, thus applied to, was in a great measure obliged to comply. He spoke likewise very strongly against the mode in which the matter originated. He insisted, it was out of the natural course; it ought to have come from the crowned head alone; and that circumstance weighed sufficiently with him to reject the bill.

Before he concluded, he declared, he saw no reason for the nation to despond, because the Earl of Chatham was no more. There still remained, as firm well-wishers to their country, and as capable of doing it essential service, as the noble Earl. Whenever danger threatened, Englishmen naturally felt a proper spirit, to defend their country, and attack their enemies. That spirit was now shewing itself in every corner of the island. The first men in Great-Britain, both in point of fortune, rank, and character, were acting most laudable parts, in putting the constitutional strength of the kingdom, upon a respectable footing. The militia, he doubted not, would prove most essentially serviceable: as this country had been before recovered from a worse situation, he had every reason to expect that she would get the better of her present difficulties.

Lord *Camden* said, he was sorry to hear any comparisons *Ld. Camden.* made between the services of the noble Earl and those of any other eminent characters, either living or dead. The noble Duke who spoke first, and the noble and learned Lord on the woolsack, had both held forth in the highest strains of panegyric on the memory of the late Duke of Marlborough; and,

and, in his opinion, very deservedly. They had dwelt on the scenes of his victories, and in their zeal seemed to forget those of the deceased Earl; but if they wanted to be reminded of them, he could tell their Lordships, from the extremest east, where the sun rose, to the setting of that glorious luminary in the western horizon; in every quarter of the globe to the earth's remotest bounds, where the arms of Britain were borne triumphant; where operations by sea or land were invariably accompanied by conquest, by reputation, extension of commerce, and all the advantages and glories united, which have at former periods being separately the effects of successful war, or of the enjoyment of the blessings of peace; the East Indies, Africa, the West Indies, North America, the coasts and territories of our enemies in Europe; all bear testimony to the services of the noble Earl, whose merit has been endeavoured this day to be thrown so much into the shade.

His Lordship was proceeding with great energy, when he was interrupted from the woolsack, the Lord Chancellor moving to have the Commons journals of December 1702 and 1706 read, in proof of his assertions, respecting the conduct of Parliament towards the Duke of Marlborough confirmed. This interruption was looked upon as disorderly by the House; and the noble Lord was desired to proceed in his speech.

His Lordship observed, that according to what had been thrown out by the noble Duke who spoke first, the alteration proposed by his Grace would operate as an entail, and could not go further than the son of present noble Earl; he wished therefore to know from his Grace, whether that was what he meant? [*Told it was.*] His Lordship then went on,

On the first ground, that of inability; he said the annuity was made chargeable on the aggregate fund, which could continue no longer than this country remained in a state of prosperity, it being the residue of the produce of all the taxes, after the interest was paid to the public creditors.---- While therefore that fund, that depended on the sources of wealth and commerce, which the noble Earl had been so successful in promoting and extending, continued to have a residue after discharging the prior demands on it; the inability of paying the annuity could not exist. If ever that fatal period should arrive, when the fund was unequal, then most certainly the provision must cease, and the descendants of the

the noble Earl suffer in the general wreck and ruin of their country.

The learned Lord who spoke last, had dwelt, nay, laid the chief stress of his argument, upon the noble Earl's being fully rewarded for his services, and the impropriety of doing that at the end of sixteen years, which should have been done in his life-time; and presuming on that ground, that his Sovereign, as well as the nation, looked upon it that he had made a provision for the deceased Earl, fully adequate to his services. I will tell the noble and learned Lord what came within my own knowledge, which will be a complete answer to every suggestion of this kind. When I had the honour of occupying a very high post in the same administration with the deceased Earl, his state of health was indifferent, and his life thought to be in danger. Soon after his recovery, I had the honour of an interview with his Majesty; and the conversation turning on the illness of the Earl of Chatham---I will never forget the words, nor the gracious manner in which they were delivered: "If he had died," said his Majesty, "I should have looked upon myself bound to make a provision for his family."

His Lordship spoke for a considerable time in support of the bill, and made use of several strong reasons, to shew that the affair of the Duke of Marlborough was very dissimilar in a variety of respects, and that no one particular properly applied as to the two cases, but the acknowledged merits of the noble Duke and deceased Earl. He observed, that much had been said on the danger of establishing precedents. There were but two, should the present bill pass, since the Conquest. He wished there were more; and he was sure there never was a fitter time, when encouragements ought to be held out, to stimulate men to great and glorious actions, than the present.

He would besides, wish their Lordships to recollect, that the deceased Earl received his death blow in the service of his country; he received it in that House, whilst he was endeavouring to assist in warding off the danger which threatened Great Britain. He was sorry to behold the present opposition, because it betrayed symptoms which portended no good, and looked as if the seeds of envy were not exterminated. He was in hopes, envy would have died with the noble Earl, and have slept with him in his grave.

The noble and learned Lord said, that the bill originated at midnight, and that the King could not avoid, or was in

some measure obliged to comply with the request in the address voted by the other House ; he had it in his power to set the noble Lord right, and to contradict the assertion. The bill was not brought in on a sudden, nor was the House taken by any thing like surprize. On the contrary, some days elapsed, and notice was previously given, not by an address at midnight, but in open day, that such a bill was intended to be brought in, and the motion for both was carried *nem. con.* at each time, both in respect of the vote for paying the noble Earl's debts, and for settling an annuity on his family. And as to the real sentiments of his Majesty, he had already given an indisputable proof of what they were, though allusions of a contrary tendency had been thrown out by the noble Duke who opposed the bill, and the noble and learned Lord who spoke last ; a declaration within his own positive knowledge, and which endeared his Majesty to him more than ever. It made him love and admire him as a benevolent Prince, as really the King and father of his people ; and every way worthy of a dominion over their affections, as well as their persons.

Admiral Hawke and Prince Ferdinand of Brunswick had been alluded to by the learned Lord, as having essentially served this country ; most certainly they had, and undoubtedly their merit as professional men, was unquestionable ; but to whom ought it to be ultimately ascribed ? To the Earl of Chatham ; the one was his admiral, the other his general. The battles they fought were battles of his planning ; and so far from their individual merits lessening that of the deceased Earl, or diminishing the value of his services, they went directly to encrease and enhance both.

The noble Duke who rose first, pointed out the necessity of introducing œconomy into the state ; the noble Duke's argument was unanswerable in point of principle, and the spirit of it was pursued in the present bill. True œconomy, both respecting the public and individuals, which required the same measure, was to spare, not waste. It consisted in a fitness of expence ; in a proper liberality, guarded by a becoming prudence and frugality. The times called for the exertion of the first rate abilities in the public service. Such a mark of national attention as the present bill manifested, would excite and encourage able men to step forward, and do their utmost to merit and gain the applause of their country. Narrow notions of interest, fear of leaving their families unprovided for, and such sort of ideas, which sway-

ed men's minds and prevented them from venturing forth, would be done away, in consequence of Parliament's affording a proof, that the nation considered itself as the guardian of the families of those who had essentially served it, when they were no more. His Lordship concluded with an high eulogium on the many public and private virtues of the deceased Earl; and said, it was with difficulty we could determine, whether he acquitted himself best, as a sound reasoner, an affectionate and warm friend, or able advocate.

The Lord *Chancellor*, as soon as the last noble Lord sat ^{Lord Chanc} down, moved that the passages referred to by him in the ^{cellor.} journals, respecting the Duke of Marlborough, should be read, which was complied with.

Lord *Ravenfworth* supported the Duke of Chandos and spoke against the bill. He said, if the noble Earl had fully ^{Lord Ravenfworth} merited such favours, why had not his friends generously moved for them in his life time that he might have enjoyed them? The nation, he observed, allowing it owed a great deal to the deceased Earl, was not indebted to his family. He came into Parliament with him, upwards of forty years since, and was acquainted with him when in the possession of all his powers of oratory. He was ready to confess his great abilities as a public speaker, and though he could not deny that they convinced the majority, both without and within doors, they had never convinced him that he was properly qualified as a statesman to direct the affairs of this country. He had always considered the deceased Earl's talents and that daring spirit of enterprize, on which his reputation was chiefly built, as a very great misfortune to this country. Even the successes of our arms under his direction, of the state machine, were not sufficient to alter his opinion. He considered those successes as ruinous, and he could not but still think, that the enormous debt incurred during his Lordship's administration, led us into those difficulties which were the true cause of our present calamitous and truly perilous situation. In fine, they came into Parliament together, and sat in the other House for fourteen years [from 1733 to 1747, when Lord Ravenfworth was created a Peer] and he was persuaded, that it would have been happy for this country, if the deceased Earl had never aspired to a public station; for though not the immediate, he was free to declare, he was the mediate cause of all our subsequent misfortunes, for the reasons before given.

Earl of
Radnor.

Earl of *Radnor* defended the bill upon one of the grounds on which the last noble Lord stated his chief objection, which was, that the Earl was no more, to whose memory the annuity was a grateful tribute! The noble Lord, he observed, said, he should not have objected had the noble Earl been living; but that was an essential difference in the case now. In his opinion, the argument made directly the other way; for however backward or reluctant he might be to heap honours and emoluments on the living, especially at a time when the example of gratitude, could not from the nature of things operate, either to the injury of the constitution or the state, but on the contrary, might materially serve the latter without violating the former. There was, he said, this difference between the present case and that of the Duke of Marlborough, which prevented them from being considered as ultimately tending to the same effect. When the Queen's message, in 1702, was delivered to the House of Commons, the Earl of Marlborough had been then just created a Duke, and he was in a great degree of personal favour with his Sovereign, and in possession of high posts and high emoluments. Parliament were perfectly defensible in acting with suitable caution. At present there could be no danger of establishing a bad custom; because Parliament had their eyes open, and would at all times be able to see where pretences were only created, or where the claim was sufficiently well founded to confer a similar favour.

His Lordship acknowledged the infinite obligations for which this country stood indebted to the deceased Earl. He only recollected one instance in his public conduct which tended to lessen those obligations, and that was a few years since, when his Lordship, in the character of minister, set up the authority of a proclamation over that of an act of Parliament. That glaring error, he confessed, he never could forgive; but when he said so, he meant merely as a public man, for notwithstanding any weight he might lay upon this circumstance, the services of the deceased Earl were sufficiently important and conspicuous to warrant the passing of the present bill; and he could not but wonder at the opposition given to it by the noble Duke who opened the debate [*Chandos*] on the score of economy; for let the noble Duke but turn his attention or recollection to the snug and lucrative sinecures enjoyed by some Lords living, whose ancestors had taken advantage of their situation as ministers, and he would find, that two or three of their sinecures would purchase

purchase the fee simple of the paltry four thousand pounds *per annum*, about which his Grace has said so much. His Lordship apologized to the House for having given it so much trouble, and in so unprepared, indigested a manner; declaring, that he had delivered his sentiments merely as they arose in his mind since his entering the House: and he felt it incumbent upon him to say thus much for two reasons; first, because he thought the bill in point of retrospect, extremely proper as an act of national gratitude towards the memory of a faithful and able servant, and no less necessary at this critical season, as an encouragement to the exertion of abilities in the public service. His Lordship added, with some degree of energy, that if the bill should meet with an opposition, sufficient to defeat its real objects, or that it should happen to be totally rejected, he would enter a protest on their Lordships' journals, in which the main reasons, those of precedent and œconomy, so forcibly urged by the noble Duke, should be stated; a motive, he believed, if it should prevail in this instance, would be neglected in every other.

Lord *Lyttelton* rose, he said, to set the noble Lord right Lord *Lyt-*
telton. respecting the error he had imputed to the deceased Earl, an error which had never happened in the manner his Lordship had stated. So far from Lord Chatham attempting to defend the proclamation, he had offered to answer for it with his life, and pleaded in excuse the dire necessity which occasioned it. This was the true state of that matter; and if his recollection did not mislead him, he heard the deceased Earl make use of the strong expression, of being willing to expiate by his head, if the Parliament did not think that the particular necessity was an ample justification. He was, it is true, but a boy at the time, but he could not forget the desponding state the nation was in, and the unsuccessful efforts which had been made in order to remove it; he recollected, that Lord Chatham, then Mr. Pitt, was at the time but little known but as a public speaker; yet by the mere force of his abilities, accompanied by an almost unparalleled integrity, he at once broke the parties which would have held him back from participating in the public counsels, and soon united all ranks of people; restoring at the same time energy to government, and destroying, or at least silencing faction, by which means affairs soon took a favourable turn; in so much, that victory was soon brought to our side, till at length our enemies were abashed, the national spirit roused, our prowess acknowledged and felt, and our glory established
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in every quarter of the globe; those powers who had in the outset assured themselves of success, having been obliged to sue with the most abject and mortifying humility for peace.

These were facts well known, not only to their Lordships, but to all the world; they were matter of historical record, being of that degree of credibility, as indeed not to admit of, or at least, call for any species of proof.

He said, he was far from contending, that the deceased Earl was infallible; that his opinions were always well founded, or his parliamentary declarations always consonant and justifiable. He had more than once himself, weak and inferior as he confessedly was in point of oratory to the deceased Earl, opposed his arguments in that House. He was convinced the late Earl had held out erroneous doctrines occasionally, but he could not therefore agree that his services to his country did not merit what the present bill proposed. The noble Earl, whose memory the nation were unanimous in honouring, to an extraordinary vigour of mind, added a most sovereign contempt of money; he had gone through offices which generally served to enrich his predecessors, without deriving a shilling advantage from his situation. When he was pay-master general, a subsidy to the King of Sardinia passed through his hands. The usual perquisite amounted to more than 20,000*l*. The noble Earl refused to touch it. The whole sum was found in the bank years afterwards; it was then offered to the Earl of Chatham as his right, the Earl nobly refused it, and the money was applied to the public service. This act alone was sufficient to mark the noble-mindedness of the Earl's character, and to recommend him to the favour of all who were capable of admiring what was great and superior to the common conduct of mankind. The noble Duke, and the learned Lord on the woolsack, had said a great deal about precedent, and the ill example the passing of the bill would create. Good God! was this country so desperately reduced, so totally lost to its ancient spirit, that it was no longer capable of rewarding the services of its best subjects? Were the minds of Lords so depraved, that they were ready to confess they trembled at granting an annuity of 4000*l*. to a family, the father of which had restored the empire from the most abject and wretched condition, to a state of eminence, to a state of the most exalted honour and glory! Let noble Lords turn to the history of Greece, let them recollect the conduct of the Athenians respecting Ari-

stides!

rides ! Years after that period was no more, it was discovered that his widow and family were in distress ; the state assembled, and in gratitude to the memory of Aristides, who had essentially served his country, made a noble provision for his family. Was the British empire less grateful than Athens ? or was she less capable of doing justice to merit than that petty state ?

His Lordship reasserted what he affirmed on his opening ; he said, the measure of the proclamation was a measure of mere necessity ; that the deceased Earl adopted it as such, and that as soon as Parliament met, he acknowledged its illegality, and like a sound patriot sought the aid of an act of Parliament.

He hoped no noble Lord present would impute what he had offered as arising from a blind zeal, or any other improper predilection, for all he meant was no more than this ; that when the noble Earl's services were fairly estimated and balanced against whatever might by his strongest opponents be objected to his conduct, he doubted not, but justice and public gratitude would unite in preponderating the scale in favour of the bill.

After this comparison, his Lordship said, he hoped the noble Lords who had opposed the bill, would re-consider the foundation of it, and if they did not find it agreeable to them to vote for it, would at least suffer it to be carried without a division, and without a negative.

Earl of Radnor rose a second time. He said, he always understood the matter of the proclamation to be otherwise. Earl of Radnor. He did not pretend to directly contradict the facts now stated ; but he should ever think, that a proclamation was not sufficiently valid to supersede an act of Parliament ; and be the urgency ever so pressing, it was, in his opinion, establishing a very dangerous and pernicious precedent ; notwithstanding therefore what the noble Lord had said, the impression on his mind was not removed.

Lord Camden rose to explain this business relative to the proclamation ; he began his explanation by confessing, that Ld. Camden. he was principally concerned in issuing the proclamation, and if there were any blame due, it was rather merited by him than his deceased friend. The fact was, the harvest failed universally throughout Europe, there being a short crop, and a rapid exportation ; there was the strongest reason to apprehend, that the consequence would be a famine within the kingdom.

kingdom. A council was immediately called, as without some speedy remedy applied, a dearth was looked upon to be inevitable: for no parliament was then sitting or likely to sit for forty days. It was debated in council what was the wisest step to take, and it was resolved to issue a proclamation, laying an embargo on the shipping, and preventing any corn from being exported. That measure was pursued from an idea that the day could never come, when Parliament would seriously censure the only line of conduct possible to be adopted, in order to save the nation from being starved. He had, he declared, at the time consulted that great philosopher and politician Mr. Locke; whose Treatise on Government was one of the wisest books ever published; he did not know a single line of that work which he would not most willingly subscribe to. Mr. Locke spoke clearly and fully upon the point. Ministers always act at their peril; they must, in cases of great emergency, take such steps as the exigency of affairs required, without hesitating as to the strict legality of their measures; and they must afterwards stand the judgment of Parliament, and abide by the censure and applause of the legislative branches of the state. I looked upon it, said his Lordship, to be such a case of necessity, as that stated by that truly great man, which justifies the interposition of the prerogative, between the laws and the people; a right to preserve, not to enslave or destroy; a right, I shall ever maintain the constitutional exercise of; and the abuse of which, I shall ever be as anxious to resist and punish; in short, I believed the safety of the state to be at stake. I advised its salvation, and can never be persuaded, when I had done so, that I was committing a crime. Having the honour to be then in a very high post, [Lord Chancellor] I was more particularly consulted; and if it was an error, I was solely to blame. As soon as Parliament met, an indemnity was proposed; for my part, I was against it; because I thought it unnecessary. I was then persuaded, I acted right; nor have I had since any reason to retract my first opinion. His Lordship owned that his defence on the occasion was a bold one; he had declared the issuing the proclamation was a strictly justifiable act of prerogative, an act of prerogative not only warranted by particular necessity, but supported upon general principles. Bold as his defence was, he was still willing to maintain it, and he assured the noble Earl behind him, [Earl of Radnor] that the fact was strictly as he had stated it; and in order to set him further right, respecting the conduct of the deceased noble

noble Earl, he assured him, he had been misinformed; for he well recollected, in the course of the debate, when his Lordship was pressed for his opinion, his answer was, "If I must speak, I think the proclamation was illegal."

Before he sat down, his Lordship renewed his argument in support of the present bill; and after a variety of praises of the deceased Earl, spoke particularly of the noble contempt of money for which he had been remarkable. His family had suffered by it materially; and latterly, he said, the Earl had, in consequence of that contempt, been almost left without a servant to attend his person. And so far was his pension from being an ample provision, as the learned Lord upon the wool-sack had declared, it was little better than a clear 2000*l. per ann.* Would the learned Lord say that was a sufficient reward for his services? He had too high an opinion of the learned Lord's candour. His Lordship went more at large into the affair of the Earl of Chatham's refusal of the office-perquisites upon the subsidy, than Lord Lyttelton, and declared that when the Earl, in Mr. Charles Townshend's chancellorship of the exchequer, refused to take it, he was scarcely master of a thousand pounds.

The Duke of *Richmond* begged leave to differ from the two noble Lords who spoke last, in respect to the conduct of the deceased Earl, concerning the embargo laid on the exportation of corn, contrary to the express orders of an act of parliament. The conduct of the learned Lord [Lord Camden] was precisely as he stated it; but that of the deceased Earl very different; for instead of acknowledging the illegality of the proclamation, he persisted to the last in defending it; and he remembered that as well as the noble and learned Lord, who now faithfully stated the transaction, so far as he was concerned himself, he treated a parliamentary indemnification as totally nugatory and unnecessary.

Earl of *Shelburne* rose, and spoke to the question at large. He said in particular, that no man ever regarded money less than the deceased Earl; and ridiculed the argument of the learned Lord who spoke first, for supposing that the deceased Earl had performed no services for his country, because he was not in actual employment; he said, he continually turned his thoughts to the service of his country, whenever his state of health would permit him; and that he imagined no man who had observed the conduct of public affairs for some years past, would be easily persuaded to believe, that

remaining in office was performing any service for his country.

As a further proof of the generous disposition of the deceased Earl, and how much he was above every selfish motive, when put in competition with the good of his country, he assured their Lordships, that there was not any one time, from his last resignation to the illness which caused his death, in which he might not come into power, and that on his own terms. He was courted and adulated by every party and description of men; he resisted them all; and always acted a disinterested and independent part. He despised faction, whether in a court or elsewhere; and always set his face against the narrow prejudices of party. At a time, when this country was in a desponding state; when it was torn by factions, he raised it the highest pitch of fame and prosperity. He healed those factions, and restored unanimity; and by that means rendered the exertions of the nation irresistible; and he made no doubt if God had prolonged his life, and restored to him his talents, but he would once more have saved the British empire, if called into power. The two noble Lords who opposed the bill said his services had ceased, since he ceased to act in a ministerial capacity; the contrary was well known; at the very instant when the stroke of death overtook him, he was in the act of attempting to save his country from the ruin which he saw impending; and which he feared, if not timely prevented, must involve it in certain destruction. His Lordship observed, that the objections to the bill were supported on two grounds; the danger of the precedent, and the distressed state of the public finances. As to the first, there was nothing more evident, than that the precedent must of necessity prove serviceable to the state; and could be attended with no bad consequence; and as to the second, it fell of course. His Lordship then went into the history of the motives which induced the House of Commons, in the queen's time, to refuse making the Duke of Marlborough's annuity perpetual, in the first instance, which he attributed to factious motives, and Tory principles. Even a Tory majority, in the other House, had now joined in an unanimous vote for the present bill. Was there a party or description of men, or even an individual in the nation, who had not at some one period applauded his conduct, and courted him? His merits were acknowledged, by every side, in each House; whence then, could the present opposition originate? If the state of the finances, were the real objection, which

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he much doubted, their situation could not be mended, but by the exertion of such men (if any such there were) and how could their Lordships expect that men of abilities would come forward, into difficult situations, to neglect their own immediate concerns, while the fate of this bill, should it receive a negative, would present to them so mortifying a proof of national ingratitude?

He begged leave to assure the noble Duke [Duke of Richmond] that however people might differ, as to the propriety of the proclamation, the urgent necessity of the measure was so apparent, that there was not a second opinion in council, when the embargo on the exportation of corn was proposed. It was the only expedient left to prevent the people from starving, and if it was a mistaken measure, it was a mistake on the humane side. As to what subsequently passed in parliament on the subject, he could not precisely say; but as well as he could recollect, the deceased Earl did not defend the legality of the proclamation, but merely the necessity.

His Lordship then entered into several strictures on the conduct and sentiments of the noble Duke who opposed the bill [Chandos]: said however insignificant his Grace deemed himself, he was a person of singular weight in that House. His voice went a great way, and was heard by some persons with particular attention. He felt it frequently, and more than once was a witness to his moving the previous question in matters of great difficulty to ministers. He remembered, upon a very particular occasion, upon the determination of a matter of property, the noble Duke's leaving his learned friend near him [Lord Camden] in a minority, by which means he was sorry to find that the House had now for three years, on most occasions, lost the assistance of the learned Lord's abilities, in the decision of learned questions. He was pointedly severe in this part of his speech on the conduct of the noble Duke, and the unhappy interference of great court lords on such occasions, who never fail to vote with a majority at their heels; because it would discourage suitors from appealing to the judicature of that House, in the last resort. He would have been much better pleased to see the noble Duke exert his great personal influence, in removing the causes of the present distressed state of our finances; in enquiries into the expenditure of public money, than in opposing the only particular instance he recollected, in which a pension or annuity had been properly bestowed. Why did

not the noble Duke, when the addition to the civil list was granted, move for such an enquiry? or will the noble Duke move for rescinding that vote, and enter into the enquiry, and on finding what were the real exigencies of the crown, and what would be fairly adequate to supporting it with splendour and dignity, confine the addition to that, and that only? His Lordship mentioned a great number of particulars of less note, and sat down with giving his most hearty assent to the committing of the bill. The noble Duke, who opened the debate, had dwelt much on the necessity of acting with œconomy. Would the noble Duke in good earnest set about a reform? Would he move for inquiry into the profits of places and sinecures? If he would, he should most readily assist every one of his endeavours; he would immediately second the motion.

His Lordship, after reverting to the necessity of holding out encouragement, by setting examples of national generosity, mentioned the Congress, who, he said, give daily proofs of this species of policy. After giving them great credit for the wisdom of their proceedings, which, he said, was inferior to none, that ever appeared; observed, that rewarding those who deserved well, was the surest means of being well served. It was a maxim as old as time itself; and he was astonished how any noble Lord should so far forget it as to oppose the present bill.

Duke of
Chandos.

The Duke of *Chandos* complained of being very uncandidly treated in the course of the debate. He said, he had been accused of voting for a sum of money to pay the King's debts, in this and the last sessions; he certainly had so voted, and were the question again in agitation, he would again give his vote for the addition which had been made to the civil list, because he knew the receipt was not equal to the expenditure. The noble Duke, and the noble Earl who spoke last had asked, whether he would go into an enquiry relative to the perquisites of placemen; he knew not that the King's servants now had larger emoluments than those who held the same offices before them, until that was proved to be the case, he certainly would not enter upon any such business; and as to the superfluous sinecures, the noble Duke and the noble Earl knew much better than he did what such sinecures were, as they had been in place; and if they knew that the country was unnecessarily burthened, they were criminal in not endeavouring to lighten the public load. The noble Earl had thought proper to attack him in a very personal and severe manner,

manner, on account of his attending law appeals. He had ever considered it as much his duty, as a peer of England, to attend legal decisions as political debates; but he felt himself shocked to death that the noble Earl should charge him, in the face of the public, with having rendered the property of individuals less secure than it otherwise would have been. He had never given a vote respecting law or politics, which had not accorded with his conscience.

His Grace declared, he could not help expressing his surprise, that any person should quote the conduct of the Congress of America as an example for the British Parliament. Were there no instances of an apposite nature which could be found in Europe? If there were not, the argument wanted its main support---that of precedent. Having repeated his objections to the bill, the Duke declared he had spoken merely as his conscience dictated; that he was as independent as any one member of either House of Parliament, and had no other bias than his loyalty, and his personal attachment to his Sovereign, and his firm persuasion, that the King's servants were men of sound judgment and unimpeached integrity.

Earl of *Shelburne* declared he had never accused the noble Duke of want of ability to determine on law points, he had only talked of his weight and influence with their Lordships in opposition to the Duke's own declaration of his insignificance. The Duke had certainly in a great case given his vote contrary to the opinion of the law Lords. He was himself a firm friend to government at bottom; he never wished to oppose its acting principles; and he was particularly delicate as to any interference with the executive branches. On a late appeal he had a strong opinion in favour of the appellant; but when he found the eleven judges of a different way of thinking, he was silent. Indeed he was the less anxious, as the ground of appeal was rather an incident in a cause, than the substance of the cause. The noble Duke had censured him for citing the examples of the American Congress; much as he admired the conduct of that assembly, on most occasions, he protested he then cited the example of Congress no otherwise than as the example of an enemy; but if the noble Duke wanted instances of the spirit of national reward, and national gratitude, nearer home, there was not a part of Europe which did not afford many. Let the noble Duke cast his eye upon the neighbouring kingdom of France; the great system of which government

ment turned upon national reward. They had not yet done paying honours to Marshal Richelieu; and it was but the last year, that a monument had been finished to the memory of Marshal Saxe. In a word, there did not exist a wise nation on the face of the globe that did not see the justice and the policy of such conduct.

Duke of
Richmond.

The Duke of *Richmond* replied to the last noble Lord, respecting certain passages in his speech; he said, that the deceased Earl was possessed of great virtues and abilities; but he was not infallible. He was in office for several years, received great emoluments; and, if he quitted office poor, it was, in his opinion, a proof of a blameable inattention to his private concerns; or a very imprudent extravagance. The noble Earl said, he might have come into office whenever he pleased. It might be so; but his refusal might be easily accounted for; he might fear that his own terms, though seemingly granted, might afterwards be departed from, broken, or explained away. The deceased Earl confessed in his place, in that House, that he had been once before duped; perhaps the deceased Earl dreaded, although he might seem to have the prescribing his own terms, that he would again run the risque of being duped and deceived. He looked upon the deceased Earl to be a man of great abilities; he looked upon it that the family of the noble Earl were intitled to a provision from the public, on account of his services; but independent of those talents and services, he looked upon him to be liable to infirmities in common with the rest of his species; it was indeed the common fate of mankind, that great parts had frequently a portion of error blended with them. With regard to the low state of the public finances, he said, he little expected to have heard any thing urged on that head by the avowed friends and constant supporters of administration. Besides, the objection might be done away with the greatest facility, and without furnishing a single pretence for complaint. Let, said his Grace, the 4000l. a year to be granted by the present bill, be taken out of the wardenship of the Cinque Ports, a finecure of 5000l. *per annum*, formerly worth no more than 1500l. a year, but swelled to that enormous sum to oblige the old Duke of Dorset, and continued so ever since. Or if the minister's merit for losing America was such that he ought not have a less finecure place than this, let the proposed annuity be deducted from the perquisites, the enormous perquisites, of the auditor of the exchequer, a finecure

of 20,000*l.* per annum, for doing nothing, or next to nothing, for signing his name barely about six times a year.

Earl of *Shelburne* closed the debate. He agreed with the noble Duke who spoke last, that this was no time for men who had any regard for their characters or peace of mind, to trust themselves into difficult situations; as besides the natural difficulties to be encountered or surmounted, many were to be feared, and few or none to be trusted. With regard to the late Earl's having been duped and deceived, the charge was true; but he begged the noble Duke to consider, that the Earl had made the best attonement, a full and frank confession of his having been so duped and deceived: his Lordship added, that few men, if any, were so truly careful and so successfully cautious as not to have been once duped in their life time. He would, for the noble Duke, as well as for himself, express an earnest wish, that neither of them might hereafter have occasion to confess, that they had been duped and deceived into office; and that when they should be no more, there might be as good ground for praise, and as little scope for censure, as there was in the case of the late Earl of Chatham.

The question was put, and the House divided. Contents 42, non contents 11.

Dissentient,

First, Because we cannot agree to such an unwarrantable lavishing away of the public money, at a time when the nation groans under a heavy load of debts, and is engaged in a dangerous and expensive war.

Secondly, Because we fear that this act may in after times be made use of as a precedent for factious purposes, and to the enriching of private families at the public expence.

BATHURST,
CHANDOS,
AB. YORK,
PAGET.

Earl of *Derby* then resumed the business, relative to the *Saratoga* affair. He acknowledged, it was now too late in the season to go into the question at large, nevertheless thought it extremely proper, that ministers should acquaint the House and the nation with the difficulties which obstructed the faithful performance of the convention; because, both a regard for the gallant men now prisoners in America, as well as public faith, made it necessary. That as ministers had declined to do any thing in it, Parliament should be acquainted

quainted with the nature and extent of the impediments, in order that it might be enabled to point out the speediest and most effectual means of removing them. His Lordship, after a few words to the same purport, made the following motion.

“ That an humble address be presented to his Majesty, that he be graciously pleased to give order to be laid before that House, previous to their prorogation, all information that has been received, relating to the detention of the army now in America, subject to the conditions of the convention signed at Saratoga.”

Lord Weymouth.

Lord *Weymouth* said, there was no blame imputed to any person respecting that affair; the only objection he had to the motion was, because it appeared to him extremely ill timed, just at the eve of a prorogation, when Parliament proposed to sit but one day longer. As to the papers, if moved for in time, he would have not had the least objection to comply with the motion made by the noble Earl; nor could he give a specific answer, upon bare recollection, as to their contents. On the whole, therefore, considering that he could neither carry the substance of them in his mind, and that were they produced, they would break in upon the intended prorogation, he would recommend to his Lordship to withdraw his motion; otherwise, he would find himself obliged to move the previous question, which he rather wished to avoid.

Earl of Derby.

Earl of *Derby* told his Lordship, that he ought to balance the necessity of the motion against the inconveniency of sitting a few days longer; that even in point of good policy, as well as humanity, ministers should consider what material service so brave and well disciplined a corps of veterans might, if released, be able to render their country at this important crisis.

Earl of Effingham.

Earl of *Effingham* supported the motion, and the propriety of complying with it, on the ground last mentioned by the noble Earl. He agreed with the noble Viscount who moved the previous question, that there was no compelling the Congress to perform the convention on their part; as we had proved by fatal experience, that we were not able to compel them to do any thing; nevertheless, it was necessary that Parliament should be informed what was the matter of difference, when it arose, and how best it might be remedied. Parliament were called upon to interfere, since ministers had declined any steps on their part; they owed it to the nation, as an act of duty, and they particularly owed it to the brave but

but unfortunate men who were suffering the most mortifying and painful chagrin, by being rendered unserviceable to the state, and left neglected in the hands of an enemy, who for several reasons could not be supposed to have any other feeling or regard for them but what the mere rules of war prescribed.

Duke of *Richmond* remarked, it was somewhat extraordinary, that the noble Viscount had paid so little attention to an affair, in his opinion, of so great consequence, as not to be able to recollect any part of the contents of the papers, which, if he performed his duty, he must have perused, nor of course give the least tittle of information to their Lordships on the subject. Such a conduct, he said, merited censure. The noble Viscount perused the papers, or he did not. If he did, and withheld information from the House, it was an act of great disrespect; if he had not perused them, which he could hardly think, his Lordship was guilty of a very inexcusable piece of neglect. As to the prorogation spoken of by the noble Viscount, he hoped that ministers would think better of it, and consider how dangerous it might be to prorogue Parliament at so critical a season, when it was not only possible, but probable, their advice might be wanting, which could not be obtained until the end of forty days after issuing the proclamation for calling it together.

Duke of
Richmond.

Earl of *Denbigh* insisted, that the noble Viscount had no right to answer questions put to him by any individual Lord. If it was the sense of the House, that the question put should be answered, it would be time enough for the noble Lord to communicate what he knew, and not till then; therefore his Lordship might have perused the papers, and recollected the substance of them, and yet be fully justified in refusing to comply with the application now made, and he hoped he would not.

Earl of
Denbigh.

The previous question being put, was agreed to without a division.

The Duke of *Bolton* rose, and observed, that although the noble Viscount's reasons against the preceding motion carried the appearance of an objection to one he intended to submit to their Lordships' consideration, it should not prevent him from proceeding; because, give the objection its full weight, it amounted only to an argument of convenience, and could never stand in competition with the welfare and safety of the state. The noble Viscount spoke of a clause

Duke of
Bolton.

in an act of Parliament, which impowered his Majesty to summon the Parliament in fourteen days. He would not contend about the real powers vested in the crown by that act; but at a period of so much danger and difficulty, he was ready to prove that it would be extremely improper to trust to any summons, however short, when the assistance of Parliament, upon any emergency, be it ever so sudden, could be insured by continuing the session by short adjournments.

His Grace affirmed, that an invasion of this country by France, was meditating; that the formidable armaments going on at that instant in their ports, docks, and naval arsenals, portended nothing less; that Spain was equally busy in warlike preparation; and, that powerful armies and encampments were stationed on the coasts of the channel, opposite England. These were unequivocal proofs of what we had reason to expect, at least what it was necessary we should provide against; they were not appearances of a defensive, but an offensive war. Indeed, ministers themselves, by their conduct, within a few days, had amply confirmed what he had now thrown out; the alarm-bell was rung by them; its sound had already reached the most distant part of the three kingdoms; it was still tinkling in his ears. A general embargo had been laid by the joint advice of those very ministers, who, by the language of the noble Viscount, seemed determined to proceed in the same ruinous career, which produced all our former misfortunes, and present calamities; and by a prorogation of Parliament, to despise its assistance or advice.

His Grace exhorted their Lordships, to pay this alarm-bell a due attention, as they might depend upon it, from the uniform conduct of ministers since the commencement of the present unhappy troubles, they would never have sounded it, if not urged by motives of dire necessity. He hoped, therefore, that their Lordships would not suffer it to ring in vain.--No instance, he contended, was known, when an embargo was laid, such as that of Saturday last, but on the dreaded approach of an immediate invasion; and besides the general reasons for the propriety of such an apprehension, stated by him on his rising, he had no doubt, but the King's servants had good private and particular reasons to fear that an invasion was at hand. If so, he submitted to their Lordships' consideration, how extremely necessary it would be to have Parliament sitting, in case of so momentous an event.--Before he closed the matter of necessity, he said, he could not avoid throwing in an additional reason in support of his intended motion, which was, that supposing Parliament should

be dispersed, at the time a foreign enemy should land, who could the people look to for assistance and protection? Not surely to a set of men, who in every instance in which they had been trusted, had misled both parliament and nation, and betrayed a total incapacity, in every measure they planned--- in every measure they attempted to carry into execution.

As he had mentioned the naval preparations going forward in the ports of France and Spain, he thought it necessary to say a few words on that part of his subject; as well to point out what had been done by those powers, as to remind their Lordships what had been omitted on our part.---As soon as France had finally determined to interfere in the dispute between this country and her colonies, which was several months before she entered into any direct treaty with them; she wisely turned her whole attention to her marine; and he was warranted in affirming, put it in such a condition, as the present ministers were totally ignorant of, and very few people aware of. Yet, even active as France and Spain were, if our navy had been properly attended to; if the enormous sums voted by Parliament had been faithfully or judiciously applied; if the noble Earl who presides at the admiralty board, now over the way, had performed either his promises or his duty, no cause of the present national panic, on account of an expected invasion, would have ever existed. The most ample supplies, in the course of seven years, had been granted; the most loud and frequent boastings had been made by the noble Earl, in consequence of those supplies; of the flourishing invincible state of our navy;---of its superiority over the united fleets of France and Spain; but the very first instant an occasion calls for the exertion of this fictitious naval force, not even for offensive war, but mere protection, for safety and security in our dwellings and possessions, for the enjoyments of our altars and firesides, we are told, or at least given to understand, that the navy is no longer the great national bulwark; that we must have recourse to a land force to defend us: and as for Gibraltar and our distant dependencies, they are at once abandoned; even the noble Lord now stationed in America with his squadron, is devoted; for the same noble Earl, who has boasted so frequently of his having a force superior, or able at all times to cope with the united force of the whole House of Bourbon, has adopted a very different language; he has acknowledged, that it was not prudent to detach, at the time it was pressed by a noble Duke near me, [Richmond] in order to watch the motions of D'Estaing, whether meant to be directed against our fortresses in the Mediterranean,

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ranee, or our fleets in America. His Grace next pointed in particular to the want of frigates, which he said were the great foul of maritime war; both in cruises against the enemy, for the protection of commerce, and in forwarding and facilitating the operations of large squadrons. He contrasted the distribution of our fleet at present, with what it was in the years 1743, 5, 6; at which several periods, invasions from France were threatened in favour of the Pretender. The attempt in 1743, was when the Pretender and Marshal Saxe were at Dunkirk. He said then, the wisest precautions were taken; the shores were lined with frigates, in order to give notice of the enemy's approach; and were so judiciously stationed across the channel, that it was impossible for any fleet to come up the channel, without Sir John Norris being apprised of it; who, stationed in the Downs to watch the intended debarkation at Dunkirk, had it in his power to prevent it; or upon the appearance of the grand French fleet, to attack it, before it could join the force in Dunkirk road. Such was the distribution of the force in 1745 and 6, when Admiral Vernon commanded in the channel, which compelled the enemy to a choice of forbearing to invade, or of coming to a general engagement. What, said his Grace, is your line of battle now? You have none. Your line of battle ships, at the end of almost two months, are not yet ready to put to sea; and if they were, have you any frigates? Even on paper, the grand fleet, as it is called, under Admiral Keppel, amounts to no more than twenty-one ships of the line, besides the squadron of twelve more under Admiral Byron. Is this a force equal to that which France alone is able at this instant to meet you in the ocean or channel with? I contend it is not. If then Spain should become a party in the quarrel, what has this country to depend on? Nothing but mere chance remains to protect her. We are, my Lords, brought into this melancholy predicament by the misconduct of ministers: if we do not detach, our dependencies are at the mercy of our enemies; if we should, our coasts must lie open to the attacks of the first invader. Even, if we should not weaken our present force, it amounts to no more than twenty-one ships of the line; where are your frigates, which will be necessary for the service I have already mentioned? I am told, the whole number is no more than three for the purpose of gaining intelligence of the strength and motions of the enemy, and for spreading the alarm on their approach.

My Lords, when I express my entire disapprobation of the distribution of the fleet in the Channel, I do not mean to insinuate

insinuate the most distant degree of censure on the conduct of the gallant officer to whom the command of it has been intrusted. I am convinced that that able seaman does not act upon his own judgment. I am fully persuaded that, if it were left to him, it would have been ordered in another manner. The want of a professional man, my Lords, is the great cause of the present ruinous state of our naval affairs; nor will it ever be otherwise, till men regularly bred to the profession are called to preside over them. No man but a seaman is fit to preside at the admiralty board, particularly in times of difficulty and danger; men versed in the practical as well as the theoretical part of the business; a full, clear, and regular knowledge of the profession in all its parts, both on sea and on shore. Such were the men at the periods just alluded to; such were Wager, Norris, Vernon, and Anson, who either presided in person, or advised those who did preside. Is that the case now? Was the noble Earl over the way [Bristol] or the able officer intrusted with the command of the fleet on Channel service, consulted? No: the same ignorance, the same blunders, the same incapacity, in short, every thing which can lead to error, delusion, and national ruin; every measure productive of defeat and disgrace, have governed the fatal system, which hath, for some years back, been adopted in the naval councils of this devoted country.

His Grace moved, "That an humble address be presented to his Majesty, humbly to represent to his Majesty the very alarming state of these kingdoms, which we fear will be much increased by a prorogation of Parliament at so critical a time, whereby his Majesty would be deprived of that natural and constitutional advice he might find necessary on any emergency to require from his Parliament, at a time when the whole legislative authority, and the united wisdom of the kingdom, is, in our apprehension, absolutely necessary to secure us from impending dangers; most humbly to implore his Majesty, that he would be graciously pleased to defer the prorogation of the Parliament until the present very dangerous crisis may be happily terminated."

Lord Viscount *Weymouth* said he rose to oppose the motion, upon the same ground he had opposed that made by the noble Earl over the way [Derby]; and alluded to an expression of his Grace, made use of on opening his motion, which was, that of its meeting a similar fate with the former, that of meeting its fate by the previous question, or his having very little

Lord *Weymouth*.

little expectation of carrying it, for he could not pretend to recollect the expression exactly. Be that as it may, he was of opinion, that the two motions stood pretty nearly on the same ground; and in giving his reasons of dissent to the present, should recur chiefly to his former arguments; which were, that Parliament, after so long and arduous an attendance, required a recess; and if the necessity for the advice of Parliament were such as had been stated by the noble Duke, the clause inserted in the Militia Bill, in the winter-session 1775, provided a remedy, without putting Parliament to the disagreeable inconvenience of attending in town during the whole summer; not to transact business; not to fulfil a duty required of them; but merely to wait in anxious suspense, to see if any matter of parliamentary concern might arise. The purport of the clause was what he had before mentioned, which impowers his Majesty, in the instances therein provided for, to convene the Parliament in fourteen days. If, therefore, any emergency should arise, which might render the advice of Parliament necessary, the clause provides, that in case of a rebellion in any of the dependencies of the British crown, or during the continuance of the present rebellion in America, the King shall or may assemble the Parliament in fourteen days. This clause, he was satisfied, would answer all the intended purposes of an adjournment; and would, at the same time, be free from all the inconveniencies which an adjournment must be productive of.

He took notice, that a noble Duke [Richmond] in the last debate had observed, that the writs of summons to Parliament, running in the ancient form, and requiring forty days between the writ and return, the clause now alluded to, could not operate. This he was free to controvert; and believed the contrary might be easily shewn, because that was no positive law, but merely founded in custom; and though it were, he did not think he would hear it asserted, that it was not in the power of the legislature to alter, and of course to give a legal operation to their own intentions, expressed in the clearest and least ambiguous terms.

In answer to that part of the noble Duke's speech, who made the motion, which supposed, that laying on the embargo, was founding the national alarm to an invasion, he contended it was not. It was so far from being unprecedented, that it was usual, when seamen were wanted. That was the case at present. Seamen were wanted, and an embargo was deemed necessary, in order to forward and facilitate the press. It was therefore to procure seamen, not to ring the alarm,

alarm, that the embargo was laid on. Such means were necessarily resorted to, for the speedy manning of our navy, when various services were to be provided for, and extensive operations at sea to be carried on. He did not undertake to answer for the future intentions of our enemies. All he could venture to assert at present was, that the embargo was not laid on, from any dread of a sudden or immediate invasion of any part of this island.

Lord *Camden*, after a few words by way of introduction, on *Ld. Camden*. the necessity of agreeing with the motion made by the noble Duke, replied to the argument of the noble Viscount, in answer to what he had offered to the objection made by the noble Duke near him, [Richmond] in the preceding debate, respecting the writs of summons to Parliament being always returnable in forty days, when called together for the dispatch of business. The noble Viscount does not deny the existence of the law; nor does he pretend to point out a single instance in which it has been departed from; but the noble Viscount says, there is a law for one as well as the other. My Lords, one is the law of Parliament, founded in the constitution; a law, give me leave to say, that is of the very essence of Parliament itself; and more binding and obligatory than any act of the legislature can be; because it is the very basis and ground-work of their assembling for any purpose. But taking the noble Lord's argument simply, as his Lordship has stated it, let us try it by the established rules of legal construction. Is the law or usage of forty days notice repealed by the clause alluded to, or by any other clause contained in the act? No such thing is pretended. Does the clause make any provision for altering the writ of summons from forty to fourteen days? Not that neither. All the clause says, is what the noble Viscount has stated; that in such and such cases the King may convene the Parliament in fourteen days. Will any noble Lord present undertake to say, that there is at present a rebellion subsisting in America, or in any of the dependencies of the British crown; or suppose he should hazard the assertion, will he say, that the ancient mode of assembling Parliaments; a mode, I am ready to contend, coeval with the constitution, shall be at once annihilated by a passing clause in an act of the legislature, not at all directed to the regulating the mode and manner of holding of Parliaments, or connected with any of its special powers or privileges? Should such a doctrine prevail, there is not any other power or privilege of Parliament which might not be undermined or taken away in the same way. The doctrine was dangerous, was unconstitutional,

tutional, he said, and could not, he would venture to prove, be fairly maintained in argument, upon any principle of sound policy, or legal construction. The fact did not maintain the explanation; and if it did, would the clause uphold the interpretation put upon it? His Lordship next proceeded to shew the great danger of assembling Parliament under the clause, and the folly of wantonly doing so, when the present motion would answer all the ends proposed to be effected by the clause; after which he entered into a short, but masterly investigation of the real state of public affairs.

His Lordship reminded the House, that the events which were happening every day, had been literally foretold from that side of the House, and had been day after day repeated, and almost drilled into the ears of administration. The designs of France were delineated in detail; their interests were stated, as the ground of those designs. Ministers were told, that it was the most fortunate circumstance that could possibly happen to France, that misunderstandings should take place between this country and her American Colonies; that those misunderstandings should produce a civil war; that a civil war should produce a separation; and that in the very instant, when Britain had lost one third of her dominions, and should be exhausted of men and money, that then would be the time for France to take advantage of our weakness, and wreak her vengeance on this devoted country. Was there a syllable, which had been urged on this subject, which did not turn out literally true? Did not France, by the most seeming friendly assurances, encourage ministers to carry their plans of despotism, and unconditional submission, into execution? Did they not, as soon as they found ministers engaged in the improvident, impracticable, and unconstitutional scheme of subduing our Colonies by force of arms, give secret assistance to America? Did not they still continue the same friendly assurances to encourage us to send our whole naval and military force beyond the Atlantic, so as to render ourselves in a manner totally defenceless at home? and as soon as we had fatally done so, at once cease to dissemble, and openly league themselves with our own subjects? And do they not now, in conjunction with Spain, meditate our destruction?

His Lordship lamented the same fatal credulity, which now subsists in respect of Spain, which caused all our present calamities in depending upon the assurances of France. Spain was armed; and ministers, I doubt not, will tell me, What of that? We continue to receive the fullest assurances from Spain of a determined amicable neutrality. If Spain was

really

really sincere, why arm? Why are her ports and arsenals full of ships of war, ready to proceed to sea, or preparing with all possible expedition for it? What is the reason that twenty-three ships of the line now ride in Cadiz Bay? Is all this preparation and great expence undertaken for nothing? Such an idea can only be founded in the most manifest absurdity. The facts speak for themselves; they supersede all assurances. Such an armament, and such a general preparation, is a tacit declaration of her sentiments. Independent of any public or private engagement she may have entered into with France, it imports just this: as soon as hostilities are commenced between you and France, we mean to take part with the latter; it is the language of common sense, of experience: if not, why arm now, more than at any other period since the conclusion of the late peace?—Ministers, knowing this, should have peremptorily insisted upon something else, besides bare assurances; they should have insisted upon a test from Spain of the truth of those assurances; the test I mean, a putting a stop to all their armaments; and if Spain refused, ministers should have compelled them to justice, by intercepting the flota. The possession of that treasure would have been a proper punishment for their perfidy; would have been a pledge for their future conduct; and if they then refused to give the only solid proof of their real specific intentions, it would enable us to carry on a necessary war against the joint efforts of our natural and perfidious enemies. It is true, it may be objected that such a conduct on our part, might be deemed a breach of the law of nations, that of attacking a nation unprovoked, in a time of profound peace. That difficulty might be easily got over; a declaration of war might accompany the blow, and the refusal to disarm, at so critical a conjuncture, might be pleaded as a motive equally founded in justice, sound policy, and necessity, for compelling a secret enemy to declare, what her inability and present convenience only prompted her to conceal.

The Lord *Chancellor* came to his place from the woolstack, Lord *Chancellor* to reply to the distinction made by the learned Lord who spoke last, between the forty days notice in the writs of summons according to the common law, and the probable operation in the clause in the statute, which empowers the Crown to assemble the Parliament in fourteen days. He believed the learned Lord's construction of the law was perfectly right, that the writ in point of law would supersede the intent of the clause on ordinary occasions; but although no man was readier to support the constitution in general, or the parlia-

mentary constitution in particular, he would, in a case of emergency, such as the preservation of the state, dispense with forms however sacred; because such emergencies supposed a case of necessity, in which the very essence, as well as forms of the constitution, were at stake. As to the existence of a rebellion in America, the condition on which the clause was to take effect, he presumed few of their Lordships doubted of it; and if during a prorogation any sudden emergency should arise, he presumed that neither the right nor expediency of calling the Parliament together at fourteen days notice, would be imputed to any of those who should advise such a measure, as criminal or illegal. On the other hand, should an adjournment take place, probably there would be a very indifferent attendance. Many other inconveniences would follow from an adjournment: bills brought in and either withdrawn, negatived, or altered, could not be received; the adjournment being a continuance of the same session. In fine, the power in the clause alluded to, would answer all the purposes of an adjournment, and would be liable to none of the objections which he had mentioned.

Earl of Shelburne.

Earl of *Shelburne* said, if no other reason existed for agreeing with the motion, it would convince foreigners that Parliament and the nation at large had been roused to a proper sense of their danger. It would shew that the people were united; that they were determined to defend and protect the Crown with their lives and fortunes; and that they were resolved no longer to depend upon ministers, whose ignorance and incapacity was what encouraged our enemies, and furnished them with the means hitherto of rendering themselves formidable to this country. His Lordship next pointed to the state of our home and distant defence. He said, at present there were but twelve battalions of infantry in Great-Britain, which, with the cavalry, did not amount to above nine thousand men, independent of the guards, which was a force small enough to defend the person of the King. This he did not think a force by any means adequate to the defence of the kingdom, for though much might in time be expected from the militia, in the event of a sudden invasion, they could not be expected to make head against a numerous veteran army. In such a case, which was far from being improbable, what was to be done? Certainly if our navy was inferior to that of our enemies, a landing of a numerous foreign army must be the consequence; in which case the metropolis must be abandoned; for such a military force as that described, with the aid of a raw undisciplined militia, would never be able to defend

defend the metropolis, and protect the whole kingdom. The metropolis must fall! a most melancholy hearing. Scotland must be left to defend itself; he believed there was little danger of an enemy facing that way; then if in the interim insurrections should arise, and that Ireland, already ripe for revolt, should rebel; how was it possible that this devoted nation could stand against such a combination of dreadful circumstances? Here his Lordship took an opportunity to condemn administration for their impolitic and absurd conduct, in relation to Ireland and the people of Lancashire, Bristol, &c. in which they conveyed to the world an exact picture of themselves, that of displeasing both parties, without benefiting either. He warned ministers, he said, early, not to make a fruitless attempt to loose the shackles of the Irish only to gall them the more, and remind them of their sufferings. Whatever was done, should have been maturely considered upon a large and liberal scale, and for the advantage of the whole. On the contrary, administration had disoblged their best friends, the inhabitants of the loyal towns of Manchester and Liverpool; and for what purpose? To throw Ireland into rebellion. He had no political correspondence with any person in that kingdom, though he had on his private affairs; and by the latest accounts received from thence, he was informed that the people had entered into an association to purchase no more British goods, at least none manufactured in Manchester, or its neighbourhood; and it was expected that the mob would daily break into the shops and warehouses, and cut, burn, and destroy all the commodities of the growth or manufacture of this kingdom.

His Lordship next proceeded to take a view of our dependencies. The naval defence of those, he observed, was given up; in that respect, they were left to shift for themselves. How was Gibraltar? Why, effective and non-effective, the garrison of that fortress did not amount to 4000 men; and though two regiments with the governor, and a draft from the artillery, had been at Portsmouth for several weeks, yet they had not sailed; and what rendered this shameful neglect the more inexcusable was, that he perceived by the papers on the table, relative to the equipment of the Toulon squadron, that ministers had a regular, correct, and continued account of the armament going on at that port from the 3d of January, till the 5th of May, notwithstanding which no one step, till very lately, had been taken to strengthen that important fortress, nor had the reinforcement, as yet, left St. Helen's. He then described the defenceless and naked state of our West-

India islands, and the criminal neglect in not either augmenting the force under General Howe, so as to enable him to maintain his ground, if that was what was intended, or recalling, and sending him to those parts of America which we still possess, either there to act on the offensive or defensive, as opportunity might serve. If, on the other hand, America should be inclined to come to terms, and that to give credit and strength to our negotiations, the troops under General Howe might be sent to Halifax to defend Nova Scotia, and strengthen the small force under General Carleton. But if none of these plans were thought proper, why not send reinforcements from hence to defend Canada and Nova Scotia? for while we retained those, he should never think America was entirely lost; he knew a commercial union between Great-Britain and her Colonies would be for the advantage of both; and he had no doubt, if the proper steps had been timely taken, early in the present year, but such an union might have been effected.

His Lordship answered the Lord Chancellor, on his resting the propriety of the prorogation in preference to an adjournment, on the point of a presumed necessity; why not put the matter of necessity quite out of the question by an adjournment, and not lay a ground for a necessity, to evade the ancient law, and break in on the constitution of Parliament, on account of a necessity wantonly created?

His Lordship talked some time on the new honours and distinctions about to be heaped on the undoers of their country, and observed, it was in strict conformity to the policy of that ruinous court-system, which lavished the rewards due only to virtue and public merit, on the most worthless and servile, in order to encourage others to tread in the same ignoble steps, to rise by the same unprincipled arts of servility and corruption, lest, as his Lordship ludicrously remarked, the breed of the true court-spaniel should become extinct.

His Lordship next spoke of the American Tories, who he said might be classed under three descriptions, those who acted from principle, those who being misled, or having views of their own, associated as the friends of government, and those of profligate lives and desperate fortunes, who deceived, inflamed, and misled government for motives the most base and diabolical. He should leave the two latter to their fortunes and deserts, and only consider such of the people of America as took a part in defence and maintenance of the rights of this country upon principle. Those men were of all the people

on earth, most to be commiserated. They lay at the mercy of their enemies and persecutors; their estates were confiscated; their persons banished or imprisoned, or their families left to famish; yet those unhappy men were abandoned to their fate; and if at a future time, any occasion should occur, either in America or elsewhere, for the assistance of the loyal part of our subjects, the fate of the loyal, brave, and honest Americans, who were sacrificed by British perfidy, would sufficiently deter any man from trusting to British promises of security and protection.

His Lordship spoke of the hidden over-ruling influence which surrounded the throne; and whence all those baleful measures, he said, proceeded. Thence was their encouragement, instructions, and rewards; and to that source the people in the day of difficulty would look for satisfaction and redress, and demand justice on those who had been the cause of their ruin.

Earl of *Bristol*. My Lords, I really did not intend to trouble your Lordships so late at night, after what I had heard fall so aptly by the noble Lord near me, in support of the motion made by the noble Duke: but, my Lords, late as it is, I should think myself unpardonable to go away without expressing my approbation of the motion, by which I am sure I shall prove that duty, attachment, and affection to his Majesty which I owe him, and which no man in his kingdom has a higher respect for. I owe it to my country in the distressful situation it is in to support a motion so consistent with the wish of every lover of his country: but, my Lords, I must also express my surprise, that after the noble Duke had so manifestly shewn, that the alarming state we were reduced to, was in great measure owing to the situation and management of our fleet, that the noble Lord whom I have in my eye, and who superintends the remains of our once flourishing navy, has not deigned to say one single word. Surely, my Lords, it must be alarming, when we have so lately heard in this House, that the fleet of England which, till this unhappy period, had given law to all Europe, is now so reduced, that, however necessary it might be, it would not be prudent in this moment to detach from it; an avowal as shameful to him who made it, as it is prejudicial to the nation, and injurious to the honour of the crown. And although the collective force of this remaining fleet has been for several months repeatedly said to be in readiness for service, yet it has been so inactive, and kept in such a situa-

a situation, that I must lament the brave admiral who is at the head of a squadron of that fleet, not having the command of the whole ships in England, by which means his hands are tied from the proper distribution he would otherwise make of them, and which might be a greater security for our coasts. My Lords, it is but last week that those ships under Admiral Keppel were ready to drop down even to St. Helen's, and I believe the Victory has not been ready, in spite of all the diligence that could be used, to go down till Saturday last. My Lords, the sailing of the Toulon fleet ever since the 13th of April, the ignorance of their destination, and the consequences that may ensue from that armament, and our total want of intelligence which way they are gone, is very alarming. My Lords, I have a letter in my pocket, which I shewed a noble Lord in high office, whom I see in his place, which proves that fleet to have been the 7th of May between Gibraltar and Malaga, being met by a Swede ship gone into Alicant the 9th. I have therefore reason to believe, that the accounts I have seen in another letter, that the Toulon fleet must have passed the streights the 9th. My Lords, what is then become of our islands? Is not that alarming? What is become of that fleet of four or five line of battle ships, and all our frigates under that brave officer Lord Howe, with fourteen or fifteen thousand seamen that are there, the flower of our fleet, so much wanted now? And if they fall, what is to become of our army in America? Is not this alarming, my Lords? And is this situation not such as to require our wishes, that the great hereditary council of this nation, the guardian of the people, should be kept together, and ready to prove by this step, to the whole kingdom and to all Europe, that we mean, we wish, and hold ourselves ready at a moment's notice, to support his Majesty with our advice, as well as our lives and fortunes.

My Lords, I must say it is no less alarming, that after all the expence the public has been at for our navy, that in so long a time we have not been able to collect ships enough to answer every purpose, which it is impossible the present number now in the Channel can do: and, my Lords, where is the remedy for all these evils which the administration has brought upon us? Surely those men who have brought us into this situation, are not those who we should wish to advise his Majesty still in this alarming situation; nor in case this country should be thrown into greater confusion by any attacks which we hear talked of from France and Spain, it can only

only be from Parliament that his Majesty can hope for such advice and assistance as he may find himself necessitated to require ; and will you then by a prorogation deprive his Majesty of that advice at an hour's notice, for if, as I hear that the pretence is, that his Majesty has now authority to call the Parliament in fourteen days together—what is that ? when in fourteen hours the enemy may be on your coasts, if these troops are all assembled on the coast of France as it is said they are, and that we have no frigates nor proper vessels to obstruct them.

My Lords, I trust your Lordships will see the necessity of this dutiful and most affectionate motion ; and I do assure your Lordships, that could I see it in any other light, than that of manifesting our attachment to his Majesty's person, and our readiness to exert ourselves for his service and honour, I should give it a negative ; but as I am persuaded it will prove, as I said before, not only to this kingdom, but to all Europe, a determined resolution to be ready at a moment's notice to assist his Majesty in every respect whatever—so I shall most heartily give it my concurrence.

Earl of *Sandwich* said, he could never sit still and hear an attack made on that department he had the honour to preside in, without vindication. Earl of
Sandwich.

His Lordship spoke against the reason given by the noble Earl for the motion ; and said, he was surprised that the noble Earl could so misrepresent things. That he denied he ever said we were not able to detach ships—that he only said, in a former debate, that perhaps it might not be prudent to do it. That with regard to Admiral Keppel's fleet not being ready to sail for St. Helen's till last week, they were now sailed from St. Helen's. That the noble admiral who commands them had not his hands tied, as that noble Earl would one day know, whenever his orders were to be known. That he was surprised the noble Earl's intelligence was so bad, as to say that we had ever 139 ships of the line, which the noble Earl mentioned the other day. That we never had that number ; and that we now had ships enough, it was men we wanted. The noble Earl also had said one day, that an embargo was necessary ; why was not an embargo laid ? and now an embargo is laid, the noble Lord condemns it as a hardship, as improper. The noble Earl I allow to be a great officer, a great seaman, and of great abilities ; but, my Lords, I will not give up my official

cial knowledge to him or any sea officers whatever ; and to shew that I am as good a seaman as either of those noble Lords, who said the other day, that why could not eleven ships work down the Channel as well as one, which was Admiral Barrington ? I will tell them why ; because there must always be in a number a heavier sailing ship than another, and the rest must keep company with the worst, which happened to Sir John Norris, when attempting to work down the Channel, his ships fell aboard of each other, and forced him to put back, and he never could get beyond Torbay. His Lordship then gave his reasons why he should object to the motion of addressing the King against the prerogation.

Earl of
Bristol.

Earl of *Bristol* rose again, and told their Lordships that he was used to that noble Lord's Machiavilian policy, of endeavouring to turn all his arguments into ridicule when he could not answer them ; but he only desired their Lordships' indulgence, to prove to them how the noble Lord [Earl of Sandwich] had endeavoured to misrepresent what he had said, and to pervert his words to his own construction. And first, my Lords (said the noble Lord) as to his denial of having said the other day, he could not detach, I appeal to the House, whether the noble Lord did not say, it would not be prudent to detach ; and that as I find the noble Lord has not detached, nor has detained Admiral Byron to join Admiral Keppel, whether I am not authorised to suppose, he is not able to detach, because he has not, when it is very well known, the Toulon Squadron are at sea, and that, if left to themselves unwatched, unpursued, we have every thing to fear for our colonies, and for our poor frigates, and our great army in America, as well as our trade. Next, with regard to the bad information, the noble Lord at the head of the admiralty is pleased to say I have, and the poor intelligence, his Lordship does me honour, because I presume to remind the House, that the noble Lord made use of the very same polite terms and words to that great statesman, that great man, now no more [Earl of Chatham] on a similar attack from him in this very House, so that, my Lords, it is a phrase with his Lordship as a thing of course when he cannot confute what is advanced. Next, my Lords, I think his Lordship said, that I had said, Admiral Keppel's hands were tied, and that he could not act, and how did I know that he could not ? I deny the words ; I am in the judgment

of the House ; but here his Lordship's fallacy and his art of turning words prevails again. What I had said was, that I was sorry Admiral Keppel's hands were tied from not commanding the whole fleet in England ; for, that so well I knew and trusted to the skill and bravery of that excellent officer and his officers under him, that had he the command of the whole fleet, there would have been a very different description made of them, and we should have had much less to have dreaded from an enemy ; for well I knew, if he had the good fortune to meet the French fleet, he would certainly beat them ; and that I must remind their Lordships of what I said the other day, that I wished him most sincerely not only the command of all our fleets on float, but also on shore. I know no man so fit for it, so beloved by all the officers, so much wished for by the public, and no one who would do more honour to his King and country.

That also I had said, the fleet was not ready till last week to go even to St. Helen's, is true ; and I repeat it again : they were not ready, and even the Admiral's own ship was not ready till Saturday last ; and I know the fleet were this morning at anchor at St. Helen's, for I had just seen a noble Lord who left them there at five this morning. The noble Lord also says, I misrepresented when I said there were ever 139 sail of the line. My Lords, I am astonished at his Lordship's advancing or denying this fact in this House. Let him look at the little clasped book I produced the other day here, which is from the navy-board, dated May 1771. He will there see from thence 139 ships of the line, 382 ships and frigates, bombs, &c. the grand total. And I repeat again, that when I came into the board of admiralty in 1771, there were eighty-one ships of the line fit for service, twenty-four under repair, seven foreign ones bought, besides others in want of great repair. My Lords, what then is become of all those ships, when the noble Earl in office told us there were only forty-nine in England fit for service ? Shameful it is to see the reduction of the great fleet of England after the sums given to it ! nor care I whether it is the noble Lord or not ; but so it is, there has been mismanagement, misconduct, negligence and ignorance in this great and essential department ; and were we to sit longer here, I pledge myself, some how or other to sift it out.

My Lords, as to the embargo, I did ask the noble Lord why one was not laid ; but then let me remind your Lordships what I said on that head. It was that we could not want men, if there was an immediate necessity for a superior number of ships to be immediately manned. Why did they not lay an embargo for that purpose at once ; and I do believe, my Lords, the noble Lord borrowed that hint, as well as that of sending the fleet immediately to Torbay, from what I said the other day. But then, my Lords, I could not mean to stop all our trade, even foreigners that we could not make use of. This is another method of his Lordship's conveying his sense on others words.

In short, my Lords, I will assure the noble Lord, that whenever the hour is fairly declared, if I am not to have a command, I will at least offer my service again to his Majesty ; and whenever able to move, if I have but an hand left, that shall be employed if my country is attacked, for his Majesty's service, though I were to serve even as midshipman again, the thing in the world they want most in the fleet ; but I never will in times like these, no war nor no peace, give my sanction to measures that I declare myself hostile to, and which I think so destructive to my country.

Earl of
Sandwich.

Earl of *Sandwich* said, the noble Earl's menaces should not prevent him from doing his duty, which he was as capable of as the noble Earl was of the business of a seaman, and if he was to judge of the noble Earl's abilities from his conduct as a Lord of the admiralty, he must think very little of them, as he gave him scarcely any of his assistance whilst he sat at that board.

Duke of
Richmond.

Duke of *Richmond* concluded the debate. His Grace took notice of what fell from Lord Sandwich about the inattention of the Earl of Bristol when at the admiralty board. His Grace confessed, it was unparliamentary to refer to former debates, but seeing that his Lordship did it, and that his doing it at present would fully exculpate the noble Earl [Bristol] even in his Lordship's opinion. He would therefore beg leave to recur to an expression of his Lordship's, which dropped from him in a very late debate, and which was, "that he was very much obliged to the noble Earl [Bristol] for the very great attention and abilities he shewed at that board." How these contradictions were to be reconciled, he did not know ; however, he would not throw any particular stigma on the noble Lord, as he looked upon him
to

to be as fit for the office of first Lord of the admiralty, as any of the King's servants were for their respective places.

The question was now put, and the House divided. Contents 20 ; Non-contents 42.

June 3.

This day his Majesty came to the House, and put an end to the session with the following speech :

My Lords and Gentlemen,

After so long and laborious an application to the public business, I think it proper at this season of the year to give you some recess. I come at the same time to return you my particular thanks for the zeal you have shewn in supporting the honour of my crown, and for your attention to the real interests of my subjects, in the wise, just, and humane laws which have been the result of your deliberations, and which, I hope, will be attended with the most salutary effects, in every part of the British empire.

King's
Speech.

My desire to preserve the tranquility of Europe has been uniform and sincere : I reflect with great satisfaction that I have made the faith of treaties and the law of nations the rule of my conduct, and that it has been my constant care to give no just cause of offence to any foreign power ; let that power by whom this tranquility shall be disturbed, answer to their subjects and to the world for all the fatal consequences of war.

The vigour and firmness of my Parliament have enabled me to be prepared for such events and emergencies as may happen ; and I trust that the experienced valour, and discipline of my fleets and armies, and the loyal and united ardour of the nation, armed and animated in the defence of every thing that is dear to them, will be able, under the protection of Divine Providence, to defeat all the enterprizes which the enemies of my crown may presume to undertake, and convince them how dangerous it is to provoke the spirit and strength of Great Britain.

Gentlemen of the House of Commons,

I thank you for the cheerfulness with which you have granted the large and ample supplies for the service of the current year, and for your care in raising them in a manner the most effectual and the least burthensome ; and my warmest acknowledgments are due to you for the provision you have enabled me to make for the more honourable support of my family.

My Lords and Gentlemen,

Your presence in your respective counties, may at this time be of great public advantage. It is unnecessary for me to recommend to you to do your duty in your several stations : on my part, I have no other wish or object but to deserve the confidence of my Parliament, and the affections of my people.

The Reader is desired to cancel the Bishop of Peterborough's Speech, on the 20th of November, 1777, and to substitute the following.

BISHOP of Peterborough. I listened very attentively to what tell from a noble Earl [Suffolk] high in office, that I might learn the objections which could be made to the proposed amendment; they were two. The noble Earl was convinced, that as independence had been all along, and still was, the object of America, the cessation of arms would be attended with no good effect : and secondly, that in the present uncertainty of what was the real state of our affairs (notwithstanding he had good ground to believe it favourable) the motion was ill timed.

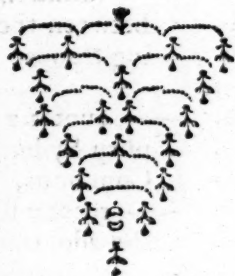
A noble and learned Lord [Camden] on the other side of the House, has spoken so ably and so fully to the first objection, that I shall not trouble your Lordships with my observations upon it. With regard to the second, I beg leave to observe, that one side or other of the following proposition must be true. Either our arms have not had hitherto the success there was reason to expect, or they have : if they have not, then will it ill become your Lordships' reputation for prudence to persist in the same measures, unless there are other grounds for confidence in them than such as have proved hitherto vain and delusive.

If, on the other hand, our arms have been successful, and the slaughter is but half as great as the greediness of credulity can swallow, then surely there is that sufficient and decisive proof of superiority which the noble Earl requires. The point of national honour is satisfied, and Great-Britain may, without committing her dignity, propose such terms of accommodation, as will become Englishmen to offer, and the sons of Englishmen to receive.

Things

Things could never have come to the dangerous extremity they are, had not both parties been somewhat in the wrong. The misfortune has been, that neither side hitherto has had magnanimity enough to acknowledge what both have long known to be true.

I trust, however, we might still be friends, would but either country shew a hearty desire of reconciliation; and I shall chearfully give my vote for the amendment, because I think that the only way for Great-Britain to extricate herself from her present difficulty with credit is, by being the first to shew she has got the better of her passion and resentment.



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- represents peace at any rate preferable to war 290
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END OF THE TENTH VOLUME.

